



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 114<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 161

WASHINGTON, MONDAY, FEBRUARY 2, 2015

No. 17

## Senate

The Senate met at 4 p.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

We praise You, Lord, for You have rescued us. You refuse to permit our enemies to win. Help us to so live that the generations to come will know of Your mighty acts.

Today, give our lawmakers the singularity of heart to seek, find, and follow Your will so that their legacy will be exemplary. Guide them in the path You have created, inspiring them with the potency of Your powerful presence. May they trust You in times of adversity and prosperity, knowing that they will reap a productive harvest if they persevere.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. CORKER). The majority leader is recognized.

### UNANIMOUS CONSENT AGREEMENT—H.R. 203

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the previous order with respect to H.R. 203 be modified so that the Senate proceed to the consideration of H.R. 203 at 11 a.m. on Tuesday, February 3, 2015, with all other provisions of the order being in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. For the information of my colleagues, this moves the vote on the Clay Hunt suicide prevention bill to noon tomorrow. We are all doing this because of unforeseen weather events that have created travel problems for Senators on both sides of the aisle.

### DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to H.R. 240.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 5, H.R. 240, a bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.

### MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate now be in a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

### WELCOMING BACK THE DEMOCRATIC LEADER

Mr. MCCONNELL. Mr. President, let me say first that I want to welcome back our colleague, the minority leader. He has had a challenging month. We are happy to see him back here in the Senate. We wish him well in his recovery, which looks as if it is coming along nicely.

Welcome back, I say on behalf of all of our colleagues to the Democratic leader.

### PRESIDENT OBAMA'S BUDGET AND CLAY HUNT SUICIDE PREVENTION FOR AMERICAN VETERANS ACT

Mr. MCCONNELL. Mr. President, in his State of the Union Address, President Obama promised to deliver a budget filled with "ideas that are practical, not partisan." I know many Americans were glad to hear him say that. The American people elected a right-of-center Congress focused on jobs and reform, so it makes sense that a President would want to send commonsense ideas that could pass the Congress that the people actually elected last November.

He could have proposed a budget that was balanced. He could have challenged us with serious, innovative reforms aimed at getting spending under control or effective ideas to create jobs and opportunity. There are so many positive things he could have done instead of phoning in another tired tax-and-spend manifesto. We basically see the same thing every year. It focuses on growing the bureaucracy instead of opportunity. It does not balance ever. Because it isn't designed to pass Congress, of course it doesn't pass Congress.

The budget is just one symptom of a wider disconnect. Rhetorically, at least, we hear the White House echo Republican calls for policies aimed at helping the middle class, but then we see the White House push more of the same stale, top-down policies favored by political bosses over on the left. As Americans who have lost health plans or who are seeing health costs skyrocket could tell you, the left's priorities often hurt the very people they purport to help.

This is the wrong approach. We need fresh ideas. Republicans want the President to join us in fighting for the middle class, so we think he should take opportunities such as the budget

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S677

to actually rally Members of both parties behind serious ideas that can actually pass. We think the country could really benefit from his positive leadership.

His next test will come soon as the new Congress works to develop the kind of budget the American people deserve. We are going to focus on growing the economy from the ground up, with more future-oriented reform, more jobs, more opportunity. We are going to pursue ideas that make government leaner, more efficient, and more effective. We are going to honor the hard-working men and women who count on us to spend their dollars wisely, not offload Washington's problems onto them with higher taxes. That is what the American people expect. It is the kind of practical agenda you pursue if you are serious about helping the middle class. It is what I hope the President will now encourage Members of both parties to work toward.

The truth is, there is a lot we can achieve with constructive, bipartisan cooperation. The bill we will vote on tomorrow is a great example of that. Members in both parties agree it is time to pursue positive reform for veterans who are hurting. The Clay Hunt Suicide Prevention for American Veterans Act aims to reduce the tragedy that befalls too many of our heroes and the heartbreak that befalls too many of their families. We lose thousands of veterans every year to suicide. Now is the time for practical, bipartisan action to do something about it.

The legislation we will vote on tomorrow will provide more of the suicide prevention and mental health support our veterans deserve. It will help veterans transition from Active-Duty service. It will take steps to improve the effectiveness of programs to help heroes in need.

This bill has already passed the House unanimously. I hope we can achieve a similar result in the Senate and send this bipartisan legislation to the White House for signature.

Before I finish, I would like to thank both the senior Senator from Georgia, Mr. ISAKSON, and the senior Senator from Arizona, Mr. MCCAIN, for their tireless work on this bill. These Senators care deeply about the men and women who give everything—literally everything—to protect us. Veterans are lucky to have such strong champions on their side.

#### RECOGNITION OF THE MINORITY LEADER

THE PRESIDING OFFICER. The Democratic leader is recognized.

#### EXPRESSING MY APPRECIATION

Mr. REID. Mr. President, it is really good to be back. I appreciate the kind remarks of the Republican leader. Senator MCCONNELL and his lovely wife Elaine have been very good to Landra and me over the years. We appreciate their words of support.

I want to express my appreciation to my colleagues who have been so kind and thoughtful during my recovery time. The Presiding Officer—I received your phone call. That was very warm. I very much appreciate it.

#### WORKING FOR THE MIDDLE CLASS

Mr. REID. Mr. President, as Senators, our work is measured by what we are able to accomplish for the middle class, what we are able to accomplish for the American people. I have watched very closely and been in touch, as we all know, having read all the stories, of what has gone on here in the last month. I am sorry to say that we spent 1 month on a bill calling for the importation of oil from a foreign country and then exporting that oil outside of America. I am glad we were able to work it out so that we had a number of amendments. That was really good. We felt very comfortable with that. I wish we could have done some more, but I am satisfied with what we were able to do. Of course now we await the action of the President, as we should be doing.

The work of this Senate is based upon—should be based upon—what we are able to do for the middle class. We are a constructive minority, and we proved that the last month. To show how constructive we are, take for example TRIA, terrorism insurance. It is so important up and down the Las Vegas Strip, Times Square, everywhere in America. That is important to the business community. Yet that was held up in the last Congress by my Republican colleagues. To show our good faith, we were able to pass that in a matter of hours. That is the way it should be.

We are going to vote tomorrow on the Clay Hunt bill. That is an important piece of legislation. I have worked hard on suicide prevention. We need to keep working on it. Each year in America 32,000 Americans kill themselves. That does not take into consideration the car accidents that are not reported properly, hunting accidents. We have about 24 veterans who kill themselves every day in America. We believe that is important for America, and because of that, we are going to pass that in a matter of hours tomorrow. That is the way it should be.

#### DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. REID. Mr. President, there is an issue that is now before this body. It is an important issue. All we need to look at is what is going on around the world—terrorism attack in Australia; terrorism attack in Canada; in France, scores of people killed. We saw what happened in Belgium. Terrorism is for real. Senator MCCASKILL said it about the best way I have seen it described. The Republicans are more afraid of the DREAMers than they are of ISIS. By the way, ISIS said they are coming our

way. Why should we be dealing with issues that have nothing to do with homeland security?

We should pass a homeland security bill with no strings attached to it. That is where we are going to wind up. If the Republican majority in the House and the Senate wants to have a CR for Homeland Security—a continuing resolution—that would cut about \$1 billion out of the budget for Homeland Security.

Homeland Security was developed after 9/11. It was a bipartisan piece of legislation that consolidated 22 different government agencies. We need to get that done and sent to the President in a clean fashion. If my Republican colleagues have some problem with something the President has done on immigration, for example, hit it head-on. Do not hide behind Homeland Security. We need a safe homeland. I hope my Republican colleagues will join us to get that done as quickly as possible.

#### RESERVATION OF LEADER TIME

THE PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

The Senator from Illinois.

Mr. DURBIN. Mr. President, what is the order of business on the floor of the Senate at this moment?

THE PRESIDING OFFICER. The Senate is in morning business.

#### WELCOMING BACK THE MINORITY LEADER

Mr. DURBIN. Mr. President, first I wish to welcome back my colleague and friend, the minority leader of the Senate, Senator HARRY REID. I was told he was coming back. I found a way to avoid a blizzard in Chicago to be here with him because I wanted to be here for this moment.

It is a great moment for those of us on the Democratic side of the aisle to have him back. I know it means a lot to him. We have been on the phone. I know he has gone through a lot in terms of his injury and also his impatience at home when for a period of time he could not read a book, which he loves to do, watch television, or do much of anything. I know he was anxious to get back in the saddle and back here, and we are so glad he has returned.

His message at the outset shows he may be scarred and beaten up, but there is no diminution of the fighting spirit that HARRY REID has brought to the Senate floor on so many occasions with his opening remarks, reminding us we are going to embark this week on a question about the funding of the Department of Homeland Security.

#### DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. DURBIN. Mr. President, of all things, the Department of Homeland

Security, created to protect America from terrorism, is a Department that is underfunded by Republican design. The Republicans refuse to give the regular budget appropriation to the Department of Homeland Security to protest President Obama's Executive order on immigration. The House of Representatives went so far as to add five riders—conditions—to the budget for the Department of Homeland Security and send them here. They have said they will not fund this Department unless we join them in what has become an extremely negative and, I believe, hate-filled attack on people across America.

Saturday we had a rally in Chicago, and at that rally was Secretary Jeh Johnson of the Department of Homeland Security. Joining us were Congressman LUIS GUTIÉRREZ of Chicago, the mayor of Chicago, and literally hundreds of people, many of them DREAMers—young people who are now, because of President Obama's Executive order, allowed to go to school and work in America.

Remember, these were children—toddlers, infants—brought to America by their families, who are undocumented through no fault of their own. They have lived in America, they have been educated in America, they have pledged allegiance to our flag in their classrooms, and they have no future because we have not changed the immigration law to give them a chance. But President Obama has given them a chance. DACA is a program where, when these young people sign up for it, they can be protected to live in America without fear of deportation—to work here, to go to school here, and to start to realize their dreams. They even want to volunteer for our military. Many of them do. They are trying their best to be part of America's future, and the President gave them that chance.

The House of Representatives—the Republican majority—said: We will not fund the Department of Homeland Security to protect America against terrorism unless the Senate will vote to literally deport the DREAMers.

At a time, as Senator REID said, when we are threatened with ISIS, when we are sickened by the images on television of innocent people—including Americans—being beheaded, at that same time the Republicans on Capitol Hill are telling us: We are not going to properly fund the Department of Homeland Security to protect America unless we can protest what President Obama has done for 600,000 young people protected by DACA.

Senator REID quoted Senator McCASKILL, who spoke up at one of our meetings the other day, who said: Apparently the Republicans fear the DREAMers more than they fear the terrorists, more than they fear ISIS.

That is wrong. I do not know who cooked up this political strategy. They were not thinking clearly. If they were thinking clearly, we would fund that

Department with a clean appropriation—one that is now sitting on the calendar of the Senate that was offered by Senators JEANNE SHAHEEN and BARBARA MIKULSKI. It is sitting here. By unanimous consent, with the approval of the majority leader, we could pass it today, fund this agency.

I asked Secretary Johnson: Well, what difference does it make if you get a temporary funding bill or a regular budget bill?

He said: I can't properly run this Department. I am wasting time and money. I am not investing in things that make us safer because of the way Congress—in this case, the House Republicans—insists that they will not properly fund this agency.

It funded every other agency of government except for the Department of Homeland Security. What are they thinking? Why would they want to make an object lesson out of this critical Department?

I said to Secretary Johnson: So what types of things can't you do?

He gave one example. He said: We give grants for research to find ways to make America safer when we are attacked. We can't give those grants now because we are under a continuing resolution.

Research to make America safe has stopped. Is that a wise thing for the new Republican majority in the House and Senate to do? Clearly, that is their plan. But we are going to give them an alternative and very quickly. Tomorrow we are going to consider a procedural motion about whether we go to this House bill, which has the five riders on immigration. I believe the Democrats will say: No, we want a clean bill, and we want to move to that bill quickly.

And we need to do it not just because we need to keep America safe—isn't that our first obligation?—but secondly because I do not believe our caucus—and I hope not a majority of the other caucus—has the same hate-filled feelings toward DREAMers that we have seen in the House of Representatives.

Mr. President, 600,000 of them have stepped forward. I have come to the floor day after day to tell their stories. They are the most amazing stories of young people who, with no help from the government, finished college and pursued professional degrees, without a penny of assistance from our government, whose only dream is to be part of the future of America. They are our future. They will help our economy. They will reduce our deficit. They will once again reestablish and reaffirm the American dream that people can risk everything to come to this country to make sure their children have a better life. These DREAMers deserve that chance. America deserves the chance to be properly secure in this age of terrorism. This Republican strategy is not going to achieve that.

I thank my colleague.

Mr. REID. Will my friend yield for a question?

Mr. DURBIN. I will be happy to yield for a question.

Mr. REID. My friend is modest, my friend the senior Senator from Illinois. But tell those within the sound of our voices how long you have worked on the DREAM Act—your.

Mr. DURBIN. I thank the Senator from Nevada, our minority leader. Fourteen years ago I introduced the DREAM Act, and I got into a spat with a Republican Senator, Mr. HATCH, who said: That is my idea.

I said: Fine. Then it will be the Hatch-Durbin DREAM Act.

And we introduced it 14 years ago, and it has not been enacted into law. Senator HATCH now has some misgivings over this issue, but I have stuck with it for 14 years. And the majority leader joined me in sending a letter to President Obama asking that he create this Executive order of protection.

I would like to say a word about Executive orders. Republicans come to the floor and suggest that when a President of the United States issues an Executive order, it is an unconstitutional exercise of power. You hear it over and over again.

If you step out of this Chamber and take just a few steps toward the staircase, you will see this magnificent, historic painting of Abraham Lincoln signing the Emancipation Proclamation. It is historic because, with the signature of President Lincoln, 3 million American slaves were freed—an Executive order. And it was an order which had the force of law. It was signed by President Lincoln—an Executive order.

It was not the only one. You think back in history to the historic Executive orders, and you have to think of Harry Truman. After World War II Harry Truman stepped up and said: We are going to integrate the Armed Forces of the United States of America, and I will not wait for Congress. Give me the pen and paper to sign the Executive order to achieve it.

So if President Lincoln can liberate 3 million American slaves, if President Truman can sign an Executive order integrating the Armed Forces, how can the Republicans come to the floor, one after the other, and say the use of an Executive order by the President is unconstitutional and want to hold President Obama accountable for their misguided thinking? It does not make sense.

I might just say—and I thought perhaps the Senator from Nevada was going to say it as well—if none of the Republicans like what President Obama has done on immigration, can I remind them they are now in majority control of the House and the Senate? If they think it is better to have a law enacted—despite the fact that for 2 years the House of Representatives refused to even call the bipartisan comprehensive immigration reform—if they think it is proper and right for a law to be enacted on immigration, the

American people have given them the majorities in both Houses to do it.

So instead of cursing the darkness and failing to fund the Department of Homeland Security, why don't they roll up their sleeves and go to work as Members of the House and Senate and pass immigration reform? I think that is worthy of this great body and the one across the rotunda. But to underfund the Department of Homeland Security that protects us from terrorism? What are they thinking?

I thank the Senator from Nevada for returning. It feels great to have you back in your capacity here as our leader on the Democratic side and as my friend.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Georgia.

#### WELCOMING BACK SENATOR REID

Mr. ISAKSON. Mr. President, I would like to add that we are glad to have Senator REID back. I know he has had a difficult time the last few weeks, and we are proud he is back on his feet.

Mr. President, I ask unanimous consent to be recognized to address the Clay Hunt suicide prevention bill, followed by Senator BLUMENTHAL from Connecticut.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CLAY HUNT SUICIDE PREVENTION FOR AMERICAN VETERANS ACT

Mr. ISAKSON. Mr. President, I want to give you a stark fact and figure. Every year 8,000 American veterans take their own lives and commit suicide. That is more people, more veterans than were killed in all the conflicts in Iraq and Afghanistan.

We have a major epidemic in America's Armed Forces because of soft tissue issues of PTSD and TBI. This Congress, both Committees on Veterans' Affairs—in the House and Senate—have acted, and tomorrow this Senate will vote on the Clay Hunt suicide prevention bill. I want to talk about it for a few minutes because it is critically important.

When these men and women go overseas and volunteer to serve America and lay their lives on the line for us, many come back with terrible injuries, prosthesis, an inability to walk, some in wheelchairs. But the stealth disease, the one that hurts the most, the one that permeates the most, is PTSD and TBI. We have been doing as much as we could but not enough within veterans health care.

Secretary McDonald has committed himself to improving the services of mental health to our veterans. I have committed myself. Senator BLUMENTHAL has committed himself. Senator BOOZMAN from Arkansas, Senator MCCAIN from Arizona, who will speak later—all are committed to see to it that we have a better program for our veterans.

What the Clay Hunt suicide prevention bill does is create incentives for more psychiatric professionals to come into the VA health care system because psychiatry is the best physician expertise you need to deal with PTSD and TBI. But it also has external audits of the VA to make sure they are doing what needs to take place in terms of veterans health care and in terms of mental health for our veterans.

The tragedies are daily, the tragedies are compounding, and we must find an end to it. A lot of people think these tragedies are with veterans of the Gulf War, our Operation Iraqi Freedom, or our battle in Afghanistan. But, quite frankly, a lot of them are our Vietnam veterans. We looked the other way and did not recognize PTSD and TBI for a long time, but now we have recognized it front and center, and it is the major injury from the battles in Afghanistan, Iraq, and other conflicts in the history of the United States of America. We owe it to our veterans to have the best mental health available to them.

In my hometown of Atlanta, on August 21, 2013, I called a field hearing at Georgia State University and brought in all the VA experts on suicide prevention because, quite frankly, we had had three suicides in the Atlanta VA within a very short period of time that got high-profile headlines in our newspaper.

As it turned out, we found that we really did not have the followup, the follow-through, and the continuum of care that mental health needs and deserves, and we had some veterans who had fallen through the cracks—not just in Atlanta but around the United States of America. In fact, as recently as last week there was a tragic death in Atlanta. We do not know yet the root cause of it, but we know the individual may have had mental health problems and was a veteran of the war in Afghanistan and took their life and the life of their children. We do not know whether PTSD or TBI was the contributing cause or whether we had done anything wrong in terms of veterans health care. But we know this: Four more lives were taken from the stealth disease called tragic brain injury, post-traumatic stress disorder.

So I am very pleased as the chairman of the Veterans Affairs' Committee to tell you that the House unanimously passed this bill 3 weeks ago on the floor of the House, the Senate Veterans' Affairs Committee unanimously passed it 2 weeks ago in committee, and the bill we will vote on tomorrow can go directly from the floor of the Senate to the desk of the President of the United States and be signed.

Very quickly, I want to make two points for anybody who is listening that remembers last year. This bill failed last year. It failed for two reasons:

One, Members questioned whether we could afford it because it had a price tag of \$24 million. We have fixed the

price problem by taking internally generated funds of the VA to pay the \$24 million. That is done.

Secondly, some said: Well, this is a duplicative service. We already have mental health services and suicide prevention at the VA.

We have some, and we do not have enough. It is not duplicative. It is absolutely necessary and essential that we do what we are doing.

Mr. President, I am proud to come to the floor of the Senate on behalf of all of our veterans and tell them: Washington is watching. We are listening. We feel your pain. We understand the problems you have. And we are going to do everything we can to see to it that the Clay Hunt suicide prevention bill becomes the law of the land, that the VA is held accountable for its policies and procedure in mental health, and that we put an end and stem the tide of the tragic number of veteran suicides that take place every single day.

I would like to now yield to my ranking member on the Veterans' Affairs Committee, the Senator from Connecticut, who has done an overwhelmingly great job to see this through from beginning to end, Mr. BLUMENTHAL.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I begin by thanking the chairman of the Veterans' Affairs Committee, Senator ISAKSON, and really giving him immeasurable credit for his courage and his fortitude in addressing this bill that he could have allowed to languish on the agenda of the Veterans' Affairs Committee. In fact, he made it the very first agenda item—the very first issue—that we would confront on the Veterans' Affairs Committee at our very first meeting, and it passed unanimously through the Veterans' Affairs Committee because of his leadership—and I really mean his leadership in making it happen.

So on behalf of the veterans of America, he deserves due credit, and so do my colleagues on the Veterans' Affairs Committee, Senator BOOZMAN and Senator SANDERS, who championed this bill, along with Senator BURR.

During the last session I was pleased to argue for it on the floor in the closing days of the session, and unfortunately it failed to pass.

There is no reason to look back and try to blame others for that failure. What is important is to look forward and to give credit to both sides of the aisle—most especially to my colleague, Senator MCCAIN, who, of course, dwarfs us in his service to our Nation in the Armed Forces. He literally is a giant in his service and sacrifice for our Nation while serving in the Navy. I have felt very privileged and proud to work with him and to introduce this measure, the Clay Hunt Suicide Prevention for American Veterans Act or the Clay Hunt SAV Act, as it is called, that basically provides for suicide prevention

services and, even more importantly, pioneers and champions mental health care for our VA.

I thank all of our colleagues who have worked on this bill over the past year or so because this measure gives us a tremendous opportunity to set a direction for the VA and for the Senate. If I may be so bold and perhaps presumptuous, I say this measure is truly bipartisan. It provides a template for bipartisan action to help our veterans, our military men and women who serve now, and to set a real lodestar for action by this body.

Very fittingly, we are on the floor when the Democratic leader, Senator REID has returned. I am tremendously heartened by his presence here and by the President's budget today, which provides a proposed increase in health care spending and, most especially, mental health care spending, to \$7.4 billion from last year's expenditure of \$6.7 billion. It is significant, again, in the context of a bipartisan approach to this issue.

This legislation is named for Clay Hunt, a marine, a patriot, a veteran who served bravely in Iraq. His mom, Susan Selke, is a real hero. She came before the Veterans' Affairs Committee during the last session.

Her testimony was not only as a patriot and an advocate of veterans but as a family member. There have been too many family members forced to grieve the loss of their loved ones who have succumbed to suicide, as did Clay Hunt in March of 2011, after struggling valiantly and courageously with post-traumatic stress and the inadequate care of his local VA hospital.

Far too many of Clay Hunt's fellow veterans, 22 per day, have succumbed to suicide, including a friend of mine, Justin Eldridge of southeastern Connecticut.

Justin braved mortar fire and sniper attacks in Afghanistan to return to southeastern Connecticut and to his family, his children, and his wife Joanna. Suffering from post-traumatic brain injury and post-traumatic stress, tragically, like so many others, Justin slipped through the cracks of his local VA facility and eventually succumbed in his fight against those inner demons and invisible wounds when he took his own life. As brave as Justin Eldridge was on the battlefield, he could not win that war at home.

How Justin and Clay fell into that black hole of depression and despair I certainly will never understand, but we grieve for them and we hope that their example of courage will inspire us to face this issue.

All too often, the response to suicide—whether it is among veterans or others—is denial. It is to turn away, to look in the other direction because sometimes it is too painful or there is stigma or shame in mental health needs.

We can conquer that stigma and shame. To its credit the military is doing more every day. The VA has

raised awareness and is increasing its commitment.

This bill is a tremendous opportunity for the VA to be a pioneer and champion in mental health care, just as it has been in other areas of health care, such as amputee rehabilitation, prosthetics, and traumatic brain injury.

This bill is a downpayment. It is the beginning—not the end—of our commitment and our solutions to problems. It is a worthwhile measure to take limited, targeted steps—less than we must eventually do—to keep faith with our veterans and their mental health needs.

I hope the committee and this Congress will continue in this great, bipartisan spirit.

I look forward to a continuing partnership with my friend Senator ISAKSON, who is such a leader in this area, as we work on these issues and seek to make progress as quickly as possible. As we do so—remember all of our efforts from all of the years of conflict and war in this country—Senator ISAKSON is absolutely right that post-traumatic stress and mental health needs are hardly limited to the veterans of Iraq and Afghanistan.

I have worked hard to help veterans of the Vietnam and Korea eras. In fact, I successfully championed the needs of our veterans of earlier eras when they have been burdened by less-than-honorable discharge resulting from post-traumatic stress, from an era when post-traumatic stress was nonexistent as a diagnosis.

Post-traumatic stress was unknown for our Vietnam and Korea veterans. It was not unknown as a condition. It was not nonexistent. It was simply unknown has a diagnosis. It was not called post-traumatic stress. It may have been called shell shock or battle fatigue. But the horror, the nightmares, the cold sweats, the headaches, and the crippling mental issues have plagued many of our veterans over many eras and many wars.

Today we take a step to recognize this Nation's obligation to Justin Eldridge, to Clay Hunt, to all of our veterans and to Joanna Eldridge, Susan Selke, and to the countless family members who have struggled and borne that burden side by side when their heroes have awakened at night with the nightmares and the battles they continue to fight against post-traumatic stress, the invisible wounds, and the inner demons that have come back with them from their service.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOOZMAN. Mr. President, on March 21, 2010, Deborah Johnson of

Sherwood, AR, answered a call no parent should ever receive. Her son, 23-year-old Army Private Jeremy Andrew Johnson, was dead from a drug overdose.

Private Johnson was diagnosed with post-traumatic stress disorder after his deployment to Afghanistan. Deborah said she thought he was getting the proper care he needed during the transition out of the military, but when she received a goodbye text from him, she knew he needed more help.

The family made his commanders aware of his suicidal thoughts and Private Johnson was put on suicide watch. Three days later Deborah answered that horrible call.

Deborah shared her family's story with me in hopes that other families can be spared the anguish of losing a loved one to mental illness.

Deborah understands Congress has an opportunity to deliver help to veterans living with mental illness and prevent suicides by passing the Clay Hunt Suicide Prevention for American Veterans Act. This legislation would improve mental health care and suicide prevention resources for veterans by increasing access to mental health programs, providing incentives to recruit and retain psychiatrists to treat veterans and enhancing resources for members of the military transitioning to civilian life.

The VA estimates 22 veterans commit suicide every day. This trend is tragic and it is unacceptable. We need to provide the VA with the personnel, services, and proper tools to help veterans facing mental illness struggles. These invisible injuries are why we struggle to identify at-risk individuals.

As a member of the Senate Committee on Veterans' Affairs, my colleagues and I are working to fully understand the scope of mental illness in our veteran community. In the meantime, we are paving the way for improvements.

Two weeks ago the Veterans' Affairs Committee met for its first order of business in the 114th Congress—approving the Clay Hunt SAV Act. I am proud to say the committee approved this bill with a bipartisan vote of 15 to 0. Our veterans deserve this care.

The VA needs to evaluate its mental health programs using metrics common to mental health practitioners to determine the success of its programs. This legislation will do that. It will help the VA more efficiently use the taxpayer funding it receives to support the programs most effective for our veterans.

The House approved this bill in January and I am confident the Senate will follow its lead. Deborah Johnson says she wishes Congress would have taken up legislation to improve mental health services years ago. As the President of the Arkansas chapter of Gold Star Mothers, Deborah hears similarities from other families who have suffered a loss because of suicide. She admits that a one-size-fits-all approach

will not adequately address mental health struggles, but she is hopeful the Clay Hunt SAV Act will help prevent other families from suffering the pain hers lives with.

We owe it to Deborah and others like her who have lost loved ones to this battle, as well as servicemembers and veterans coping with mental health issues, to make this one of the first bills the 114th Congress sends to President Obama to sign.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. WARREN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. WARREN. Mr. President, I come to the floor in strong support of the Clay Hunt Suicide Prevention for American Veterans Act.

Our men and women in uniform serve our country with honor and courage. They put themselves in harm's way day in and day out to protect us. I have a special appreciation for how much servicemembers and their families contribute to our country, and how important it is that we honor their service. All three of my brothers served in the military, and my oldest brother was career military. He flew 288 combat missions in Vietnam.

When you grow up in a family with someone in the military, you know how lucky you are to see them come home safely. But that doesn't mean the sacred trust with our servicemembers ends the moment they step off a plane. We owe our servicemembers the very best, and that means ensuring they always have access to high-quality services and care, including mental health care.

The Clay Hunt SAV Act, introduced in the Senate by Senators JOHN MCCAIN and RICHARD BLUMENTHAL, would strengthen critical mental health care services and suicide prevention resources for our country's veterans. We have heard the deeply troubling statistics. The VA has reported that 22 veterans die each day from suicide. Data collected in the BackHome project shows that while 10 percent of Americans served in the military, veterans make up 20 percent of all suicides in the United States. These statistics tell us something is deeply wrong and that we need to make significant changes.

The SAV act calls for an evaluation of the mental health services and suicide prevention efforts of the Department of Veterans Affairs and Department of Defense, and launches a pilot program to provide education loan repayment for psychiatrists who work at the VA. It also helps build stronger partnerships between the VA and non-profit organizations working with veterans in our communities.

The SAV act is named for Clay Hunt, a marine veteran from Texas who

served in Iraq and Afghanistan and was a strong advocate for improved services for his fellow veterans. He struggled with post-traumatic stress, and when he was unable to access the care he needed from the VA, he took his own life.

As Clay's mother Susan Selke said in her testimony at the Senate Veterans' Affairs Committee hearing last summer:

Not one more veteran should have to go through what Clay went through with the VA after returning home from the war. Not one more parent should have to testify before a congressional committee to compel the VA to fulfill its responsibilities to those who served and sacrificed.

She went on to say:

The reforms, evaluations, and programs directed by this legislation will be critical to helping the VA better serve and treat veterans suffering from mental injuries from war. Had the VA been doing these things all along, it very well may have saved Clay's life.

I am proud Massachusetts has taken steps at the State level to help improve suicide prevention resources for veterans, such as establishing the State-wide Advocacy for Veterans' Empowerment Program, or SAVE.

The SAVE team is comprised of veterans who work directly in the community to connect veterans and their families to services provided by the Commonwealth and by nonprofits. I have also visited several outstanding community organizations in Massachusetts, such as Veterans Inc. in Worcester, Soldier On in Pittsfield, and the New England Center for Homeless Veterans in Boston, that work tirelessly to help servicemembers access the full range of services they need and deserve, from housing and education to health care.

In August, I met with veterans in Framingham, MA, at a mobile vet center. One of the veterans I heard from was Army MAJ Justin Fitch, who was working at the Natick Soldier Research Development and Engineering Center. Justin, who is battling terminal cancer and has had his own struggles with depression, is retiring from the Army just this week, but he is still a powerful and relentless voice fighting to improve care and prevent suicide among veterans fighting depression and psychological stress after returning home from war.

Justin told me:

Too many veterans are suffering in silence. Twenty-two a day is a lot. One is too many.

Justin is right. Our armed service men and women are tough, smart, and courageous. They make huge sacrifices to keep our families safe, and we owe them all a true debt of gratitude for their service. But gratitude isn't enough. We must do more to protect our men and women in uniform who devote their lives to the service of our country.

It is clear that Congress has more work to do to bolster our Nation's commitment to supporting veterans and

providing the mental health care services they deserve. The Clay Hunt SAV Act is an important part of this effort. I hope my colleagues will join me in voting to pass this legislation in the Senate.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COATS). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here now for the 88th time to urge this body to wake up to the looming threat of climate change.

In the last few weeks, my Republican colleagues have talked about climate change here on the floor more than at any other time since I began giving these weekly speeches. We had heard next to nothing from Republicans about climate change since the 2010 Citizens United decision. That decision let loose the fossil fuel industry to cast an ever darker shadow of intimidation across this town. So this minor outbreak of dialogue, although minor, has been significant.

All but one of my Republican colleagues is now on the record saying they agree that climate change is real, and 15 voted that it is caused at least in some part by humans. That is some progress. Yet some still persist in their denial. Our scientists now tell us that warming of the climate system is "unequivocal." Yet we equivocate. Scientists are a careful bunch. When they say something is unequivocal, we ought to take note.

The senior Senator from Oklahoma, our chairman of the Environmental and Public Works Committee, however, maintains that human-caused climate change is a hoax. He thinks it is arrogant to say that humans could cause the climate to change. What is really arrogant is thinking we can ignore the laws of nature, the laws of physics, the laws of chemistry, the laws of biology. Whose laws do we think those are? Those laws were given to us by our Creator. They came with this world. They are immutable.

These laws of nature dictate that carbon dioxide is the byproduct of our burning of fossil fuels. These laws of nature, fresh from the hands of our Creator, explain why carbon traps heat in our atmosphere—something we have known since Abraham Lincoln was riding around this town in his top hat.

Here in the Senate, we have no human power to amend or repeal those laws—and here in the Senate, we shouldn't cherry-pick from the scientific record. That is not fair play. Here on the floor, the EPW chairman paraphrased a 2013 paper from the journal *Nature*, saying:



... there is considerable uncertainty as to whether [increases in extreme climate variability] is occurring.

The author of the paper, Dr. Chris Huntingford of the UK's National Environmental Research Council, took exception to his paper being mischaracterized. He said this:

Our Nature paper strictly analyzes only year-to-year variability (fluctuations) in temperature. ... We do not at any point offer evidence against a general on-going background and upwards warming trend. Detection and attribution statistical studies show that the observed average increasing temperatures are almost certainly a consequence of the burning of fossil fuels.

In that same floor speech, my colleague from Oklahoma suggested we could relax about climate change because the Munich Reinsurance Company said weather-related disaster losses have declined as a proportion of GDP worldwide. He neglected to mention testimony before our EPW Committee last July by Munich Re's head of risk accumulation in the United States, Carl Hedde, to wit:

Due to our history of insuring natural catastrophe, Munich Re was one of the first companies in the industry to recognize the impact that weather-related events and a changing climate could have on its business model and customers. As a nation, we need to take steps to reduce the societal impact of weather events as we see greater variability and volatility in our climate.

The senior Senator from Oklahoma has even resurrected the ghost of Climategate, that faux scandal whipped up a few years ago by the polluters and their allies to suggest climate scientists were colluding to exaggerate global warming data. Turned out it was the cooked-up, phony scandal that was exaggerated and not the data. So-called ClimateGate should actually be accurately called ClimateGate-Gate. Yet years later this zombie falsehood still staggers about the floor of the Senate attempting to cast doubt on human-caused climate change. The polluters have relentlessly made it their business to misconstrue the findings of scientific works and to cling to discredited accusations.

We would do well to listen to the overwhelming majority of practicing, publishing climate scientists who agree our carbon pollution is altering the climate. Scientists who conduct experiments, who examine data, who arrive at conclusions, who submit their work through peer review, and who make their data accessible for due diligence by other researchers. It is the best science out there.

But I am afraid those scientists don't have the ear of the senior Senator from Oklahoma. He showed us whom he listens to. He brought a chart to the floor showing several dozen "recognized" scientists—as he called them—who don't buy the climate consensus. That chart was produced by an outfit called the Heartland Institute. You may remember them for associating climate scientists with the Unabomber—a classy group.

Their scientists, so-called, included bloggers, columnists, staff of conservative think tanks, a member of the European Parliament, and many scientists who have been funded by the fossil fuel industry.

I will side with the scientists affiliated with the American Association for the Advancement of Science over a bunch of carefully selected bloggers. I will trust NASA and NOAA over scientists who shill for the fossil fuel industry. The Heartland Institute is not alone. It is part of a sophisticated network of climate denial propped up by the carbon-polluting fossil fuel industry. It is a front group fueled by the special interests and their dubious experts.

Interestingly, if we go to Oklahoma State University, we will find one of the experts on this. Dr. Riley Dunlap at Oklahoma State could tell his Senator all about it. Professor Dunlap is one of the preeminent researchers into the deliberate and coordinated effort by corporate interests to spread denial propaganda and distort public opinion on climate change—what he calls the “organized climate-denial machine.” Dunlap and a colleague found that nearly 90 percent of climate denial books coming out of publishing houses between 1982 and 2010—guess what—had ties to conservative fossil fuel-funded think tanks such as the Heartland Institute. The whole thing is a rigged game and a phony, and there is a very good professor at Oklahoma State University who keeps track of it.

I also have a fact sheet from the Oklahoma Climatological Survey, its statement on climate change and its implications for Oklahoma. Here is what it says in plain language: The Earth's climate has warmed during the last 100 years. The Earth's climate will continue to warm for the foreseeable future, and much of the global temperature increases over the last 50 years can be attributed to human activities, particularly increasing greenhouse gases in the atmosphere. That is actually a noncontroversial statement among regular scientists.

This is no radical with some political agenda. This is a fact sheet from a State scientific agency. It happens to be Oklahoma's. Here is what the agency expects this means for Oklahoma: earlier maturation of winter wheat and orchard crops, leaving them more vulnerable to late freeze events; drought frequency increases, especially during the summer; drier and warmer conditions increasing the risk of wildfires; rain-free periods lengthening with individual rainfall events becoming more intense, with more runoff and flash flooding occurring.

Mr. President, I ask unanimous consent to have this statement printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Oklahoma Climatological Survey]

#### STATEMENT ON CLIMATE CHANGE AND ITS

#### IMPLICATIONS FOR OKLAHOMA

“Warming of the climate system is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice, and rising global average sea level.”

—the Fourth Assessment of the Intergovernmental Panel on Climate Change (IPCC).

That statement reflects the essence of a vast amount of observational data and climate research: the earth's climate has warmed on average during the last 100 years and will continue to warm through the 21st century. Further, ample evidence from observational data and climate modeling studies indicates that this global-scale warming is not attributable to natural variability. The Oklahoma Climatological Survey (OCS) has been mandated by the Oklahoma legislature to provide climate information and expertise which could be of value to the public, as well as to state policy- and decision-makers. In accordance with that directive, OCS has conducted a review of the current assessments of climate change research and concludes the following to be true:

Across the globe, a warming climate will be beneficial to some and detrimental to others. Anticipating how this climatic shift will impact Oklahoma is of vital importance to state decision-makers. One of the greatest impacts will be the exposure of Oklahoma's growing population and economy to water stress. Oklahoma's future requires access to fresh water. Thus, due diligence in protecting our water resources and adapting to future climate variability is paramount if we are to maintain and improve the quality of life and the economy of Oklahoma.

#### THE SCIENCE OF GLOBAL CLIMATE CHANGE

The earth's climate is always changing. Evidence such as tree ring and ice core studies indicates large and sometimes abrupt climate changes have occurred in the earth's distant past, lasting centuries to millennia. These climate swings are attributed to natural variations, such as changes in the output of the sun or shifts in the earth's orbit. Oklahoma has exhibited distinct climate periods attributable to natural variability in the last 100 years, from the decadal-scale droughts of the 1920s, 1930s and 1950s to an extended period of abundant precipitation during the 1980s and 1990s. Mounting evidence continues to indicate, however, that human activities have begun to impact the earth's climate through the release of greenhouse gases. Ice core studies show carbon dioxide and methane are at their greatest levels within the last 650,000 years. Due to the extended periods required for these gases to be removed from the atmosphere, further emissions during the 21st century will cause additional warming for more than a millennium. In fact, even if greenhouse gas concentrations were held steady since the year 2000, the earth is committed to decades of warming from heat already absorbed by the oceans.

#### GLOBAL CLIMATE CHANGE IMPACTS FOR OKLAHOMA

The continued warming of the climate averaged across the globe will create a cascade of climatic shifts which could impact Oklahoma's climate. These shifts will not mean an end of year-to-year natural variability—hot years and cold years will continue, as will wet years and dry years. The projected changes will be seen at time scales averaged over a decade or more. Little is known of the effects climate change will have on severe weather. The ingredients required for severe weather involve complex

combinations that do not exhibit clear changes in a warming climate. Further, global climate models are unable to accurately simulate small scale weather events like thunderstorms or tornadoes.

#### RECOMMENDATIONS

OCS recommends that Oklahoma aggressively pursue four initiatives to address the risks of both climate variability and climate change. First, the state should undertake a comprehensive assessment of Oklahoma's social and economic vulnerability to climate variability as well as climate change. Learning to adapt to nature's extremes now will yield benefits in reduced disaster losses, regardless of the future trajectory of climate change. Climate change may also bring economic opportunities that would be identified in such an assessment. Second, OCS recommends immediate funding of the Oklahoma Water Resources Board's Comprehensive Water Plan study to identify existing as well as projected needs for water. Third, OCS encourages efficiency programs to reduce our growing demand for energy. Fourth, OCS recommends investment in renewable energy technology and production. Oklahoma has already demonstrated the successes of wind energy; similar efforts should be undertaken to advance development of solar and sustainable bio-energy as well as fostering further research and development of wind energy.

Even if climate does not evolve as expected, these steps will yield long-term benefits to Oklahoma's society and economy through reduced losses to existing climate and weather threats and cost-savings through reduced energy use. If climate does evolve as expected, Oklahoma will be better positioned to adapt to those changes without rapid social upheaval. Furthermore, building resilience to climate and weather events will help position Oklahoma at a relative advantage to neighboring states, especially in attracting businesses that are dependent upon a continuous water supply.

This statement is the first in a series issued by OCS which delineates the impacts, both beneficial and detrimental, of a warming climate system on the economy of Oklahoma and the quality of life for Oklahomans. Further statements will illuminate possible impacts to specific industries, such as water management and agriculture.

Mr. WHITEHOUSE. The National Climate Assessment estimates that by the end of the century the temperatures in the Southern Great Plains will increase up to 9 degrees. Mark Shafer is a researcher at the Oklahoma Climatological Survey who contributed to the National Climate Assessment. He told the Oklahoman newspaper that in a few decades Oklahoma could see 100-plus temperatures every summer. By century's end, daily temperatures could top 100 degrees for the entire summer. As the climate warms, droughts will probably get worse, both more severe and more frequent.

Nine Oklahoma professors from Oral Roberts University, Southern Nazarene University, and the University of Tulsa were among 200 evangelical scientists and academics to sign a 2013 letter to Congress imploring us to address climate change.

All of God's Creation . . . is groaning under the weight of our uncontrolled use of fossil fuels. . . . The threat to future generations and global prosperity means we can no longer afford complacency and endless debate. We as a soci-

ety risk being counted among "those who destroy the earth."

Those who know the Bible will know that reference to "those who destroy the earth" comes from Revelations. I will quote from Revelations: "And Thy wrath is come, and the time . . . that thou . . . shouldst destroy them which destroy the earth."

The letter warns that the way we live harms our neighbors, threatening to create more empty wells, devastated cropland, loss of villages, environmental refugees, and disease.

I ask unanimous consent to have that letter from the 200 evangelical scientists printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JULY 10, 2013.

DEAR SPEAKER BOEHNER, SENATE MAJORITY LEADER REID, AND MEMBERS OF THE UNITED STATES CONGRESS: As evangelical scientists and academics, we understand climate change is real and action is urgently needed. All of God's Creation—humans and our environment—is groaning under the weight of our uncontrolled use of fossil fuels, bringing on a warming planet, melting ice, and rising seas. The negative consequences and burdens of a changing climate will fall disproportionately on those whom Jesus called "the least of these": the poor, vulnerable, and oppressed. Our nation has entrusted you with political power; we plead with you to lead on this issue and enact policies this year that will protect our climate and help us all to be better stewards of Creation.

Average global temperatures are at their highest level within the measurement record, and we are beginning to see indications of increasingly disturbed weather. For example, 2012 was the hottest year ever recorded for the contiguous United States, and it will go down as one of the most destructive and disruptive years in U.S. history: wildfires, drought, superstorms, and public health outbreaks. This past year is only one example of the patterns of change we expect to see as the climate warms globally. We're already spending billions in emergency aid for the victims of hurricanes and weather disasters, and these expenses will only increase as the "once in a lifetime" storms become the new normal.

The Bible tells us that "love does no harm to its neighbor" (Romans 13:10), yet the way we live now harms our neighbors, both locally and globally. For the world's poorest people, climate change means dried-up wells in Africa, floods in Asia that wash away crops and homes, wildfires in the U.S. and Russia, loss of villages and food species in the Arctic, environmental refugees, and disease. Our changing climate threatens the health, security, and well-being of millions of people who are made in God's image. The threat to future generations and global prosperity means we can no longer afford complacency and endless debate. We as a society risk being counted among "those who destroy the earth" (Revelation 11:18).

We call on you to pass meaningful legislation during this Congress to reduce carbon emissions and protect our environment, thereby strengthening the long-term outlook for our economy and our children. As Christian scientists and educators, we offer our knowledge, experience, and prayerful witness to assist you and all of our nation's leaders who are willing to address this urgent challenge.

Sincerely,

Dr. Tom Ackerman, University of Washington, Seattle, Washington; Dr. Carolyn An-

derson, Calvin College, Grand Rapids, Michigan; Dr. Stanley Anderson, University of California, Santa Barbara, Santa Barbara, California; Dr. Brian Aukema, University of Minnesota, Minneapolis, Minnesota; Prof. Michael Bailey Anderson, University of Anderson, Indiana; Dr. Jonathan Bakker, University of Washington, Seattle, Washington; Dr. Marvin Bauer, University of Minnesota, Minneapolis, Minnesota; Dr. Philip Bays, Saint Mary's College, Notre Dame, Indiana; Dr. Caroline Bentley, Southern Nazarene University, Bethany, Oklahoma; Dr. Abram Bicksler, International Sustainable Development Studies Institute, Chiang Mai, Thailand; Prof. Russell Bjork, Gordon College, Wenham, Massachusetts; Dr. Curtis Blankespoor, Calvin College, Grand Rapids, Michigan; Dr. Harvey Blankespoor, Hope College, Holland, Michigan; Dr. Mark Bloom, Dallas Baptist University, Dallas, Texas; Dr. Robert Boomsma, Trinity Christian College, Palos Heights, Illinois.

Dr. Dorothy Boone, Gordon College, Wenham, Massachusetts; Prof. Michael Bosscher, Trinity Christian College, Palos Heights, Illinois; Dr. Sheri Boyce, Messiah College, Grantham, Pennsylvania; Prof. Lynn Braband, Cornell University, Ithaca, New York; Dr. James Bradley, Calvin College, Grand Rapids, Michigan; Dr. Robert Bringolf, University of Georgia, Athens, Georgia; Dr. Joshua Brokaw, Abilene Christian University, Abilene, Texas; Dr. Jeff Brown, Hope College, Holland, Michigan; Dr. Douglas Bulthuis, Washington State University, Pullman, Washington; Dr. Russell Camp, Gordon College, Wenham, Massachusetts; Dr. David Campbell, Gardner-Webb University, Boiling Springs, North Carolina; Dr. Clayton Carlson, Trinity Christian College, Palos Heights, Illinois; Dr. Chris Carmichael, Bob Jones University, Greenville, South Carolina; Dr. Walter Cho, Point Loma Nazarene University, San Diego, California; Dr. Hyun Joong Cho, University of California, San Francisco San Francisco, California.

Dr. James Clark, Wheaton College, Wheaton, Illinois; Dr. Stephen Cole, MidAmerica Nazarene University, Olathe, Kansas; Dr. Bruce Congdon, Seattle Pacific University, Seattle, Washington; Dr. John Cossel, Jr., Northwest Nazarene University, Nampa, Idaho; Dr. Lisa Crow, Southern Nazarene University, Bethany, Oklahoma; Dr. Thomas F. Cummings, Bradley University, Peoria, Illinois; Dr. Robert De Haan, Dordt College, Sioux Center, Iowa; Dr. William Deutsch, Auburn University, Auburn, Alabama; Dr. Calvin DeWitt, University of Wisconsin-Madison, Madison, Wisconsin; Prof. Jeffrey Divino, University of Connecticut, Storrs, Connecticut; Dr. David Dornbos Jr., Calvin College, Grand Rapids, Michigan; Dr. Mike Dorrell, Point Loma Nazarene University, San Diego, California; Dr. Ruth Douglas Miller, Kansas State University, Manhattan, Kansas; Dr. Job Ebenezer, Technology for the Poor, Westerville, Ohio; Dr. Gary Emberger, Messiah College, Grantham, Pennsylvania.

Dr. Darrel Falk, Point Loma Nazarene University, San Diego, California; Dr. Chris Farrell, Trevecca Nazarene University, Nashville, Tennessee; Dr. Leo Finkenbinder, Olivet Nazarene University, Bourbonnais, Illinois; Dr. Lloyd Fisher, University of Washington, Seattle, Washington; Dr. Vanessa Fitsanakis, King University, Bristol, Tennessee; Dr. Aaron Fletcher, Dallas Baptist University, Dallas, Texas; Dr. David K. Foster, Messiah College, Grantham, Pennsylvania; Dr. Michael Freaake, Lee University, Cleveland, Tennessee; Dr. Laura Furlong, Northwestern College, Orange City, Iowa; Dr. Herb Fynewever, Calvin College, Grand Rapids, Michigan; Dr. Robert Gammon, University of Maryland, College Park, Maryland;



Dr. Jason Ganley, Colorado School of Mines, Golden, Colorado; Dr. Luke Gascho, Goshen College, Goshen, Indiana; Prof. Raymond Gates, Cornerstone University, Grand Rapids, Michigan; Dr. Mark Gathany, Cedarville University, Cedarville, Ohio.

Dr. Dale Gentry, Northwestern College, St. Paul, Minnesota; Dr. Dwight Ginn, Olivet Nazarene University, Bourbonnais, Illinois; Dr. Micah Green, Texas Tech University, Lubbock, Texas; Dr. Jeffrey Greenberg, Wheaton College, Wheaton, Illinois; Dr. Brian T. Greuel, John Brown University, Siloam Springs, Arkansas; Dr. Roger Griffioen, Calvin College, Grand Rapids, Michigan; Dr. Jeff Griffiths, Southern Nazarene University, Bethany, Oklahoma; Dr. Herb Grover, Wayland Baptist University, Plainview, Texas; Dr. Terry Gustafson, The Ohio State University, Columbus, Ohio; Dr. Loren Haarsma, Calvin College, Grand Rapids, Michigan; Dr. Steven Hall, Louisiana State University and LSU AgCenter, Baton Rouge, Louisiana; Dr. Rick Hammer, Hardin-Simmons University, Abilene, Texas; Dr. Wesley H. Hanson, Southern Nazarene University, Bethany, Oklahoma; Dr. David Hartnett, Kansas State University, Manhattan, Kansas; Prof. Elizabeth Hasenmyer, Taylor University, Upland, Indiana.

Dr. Katharine Hayhoe, Texas Tech University, Lubbock, Texas; Dr. Kevin Heaney, Ocean Acoustical Services and Instrumentation Systems, Lexington, Massachusetts; Dr. Matthew Heun, Calvin College, Grand Rapids, Michigan; Dr. Gregory Hitzhusen, The Ohio State University, Columbus, Ohio; Dr. David Hoferer, Judson University, Elgin, Illinois; Dr. Thomas Hooyer, University of Wisconsin-Milwaukee, Milwaukee, Wisconsin; Prof. Elizabeth Horvath, Westmont College, Santa Barbara, California; Dr. Michael Huster, Nyack College, Nyack, New York; Dr. Dan Ippolito, Anderson University, Anderson, Indiana; Dr. Randy Isaac, IBM, Armonk, New York; Dr. Forest Isbell, University of Minnesota, Minneapolis, Minnesota; Dr. Delano Janutolo, Anderson University, Anderson, Indiana; Dr. Randal Johnson, Olivet Nazarene University, Bourbonnais, Illinois; Dr. Carey Johnson, University of Kansas, Lawrence, Kansas; Dr. Ian Johnston, Bethel University, St. Paul, Minnesota.

Dr. Chris Keil, Wheaton College, Wheaton, Illinois; Dr. Wayne Keith, McMurry University, Abilene, Texas; Dr. Robert Keys, Cornerstone University, Grand Rapids, Michigan; Dr. John Korstad, Oral Roberts University, Tulsa, Oklahoma; Dr. Kirk Larsen, Luther College, Decorah, Iowa; Dr. Tom Lee, Abilene Christian University, Abilene, Texas; Dr. Curtis Lee, Dallas Baptist University, Dallas, Texas; Prof. Irvin Levy, Gordon College, Wenham, Massachusetts; Dr. Raymond Lewis, Wheaton College, Wheaton, Illinois; Dr. Erik Lindquist, Messiah College, Grantham, Pennsylvania; Dr. Richard Lindroth, University of Wisconsin-Madison, Madison, Wisconsin; Dr. Greg Long, Olivet Nazarene University, Bourbonnais, Illinois; Dr. Eric Long, Seattle Pacific University, Seattle, Washington; Dr. Larry Louters, Calvin College, Grand Rapids, Michigan; Dr. William Lynch, University of Evansville, Evansville, Indiana.

Dr. Thomas Mangum, Northwest Nazarene University, Nampa, Idaho; Dr. Bryan Mark, The Ohio State University, Columbus, Ohio; Dr. April Maskiewicz, Point Loma Nazarene University, San Diego, California; Dr. Jon Masso, Daystar University, Athi River, Kenya; Dr. Ann Mayo, Tarrant County College, Fort Worth, Texas; Dr. Michelle McCully, University of California, San Francisco, San Francisco, California; Prof. Karen McReynolds, Hope International University, Fullerton, California; Dr. Clarence Menninga, Calvin College, Grand Rapids,

Michigan; Dr. Wendy L. Mercier, Eastern University, St. Davids, Pennsylvania; Dr. Grace Ju Miller, Indiana Wesleyan University, Marion, Indiana; Dr. Keith Miller, Kansas State University, Manhattan, Kansas; Dr. Kristy Miller, University of Evansville, Evansville, Indiana; Dr. Mike Mooring, Point Loma Nazarene University, San Diego, California; Dr. Stephen Moshier, Wheaton College, Wheaton, Illinois; Dr. Lytton Musselman, Old Dominion University, Norfolk, Virginia.

Dr. Timothy Nelson, Seattle Pacific University, Seattle, Washington; Dr. Chris Newhouse, Spring Arbor University, Township, Michigan; Prof. Andrew Newhouse, SUNY College of Environmental Science & Forestry, Syracuse, New York; Dr. Karen Nordell Pearson, Hope College, Holland, Michigan; Dr. Jennifer Noseworthy, Gordon College, Wenham, Massachusetts; Dr. Han Chuan Ong, King University, Bristol, Tennessee; Dr. Laura Ong, King University, Bristol, Tennessee; Dr. Dawne Page, Point Loma Nazarene University, San Diego, California; Dr. Rafe Payne, Biola University, La Mirada, California; Dr. Wesley Pearson, St. Olaf College, Northfield, Minnesota; Dr. Kenneth Petersen, Bethel University, St. Paul, Minnesota; Dr. Kenneth Piers, Calvin College, Grand Rapids, Michigan; Dr. Jeffrey Ploegstra, Dordt College, Sioux Center, Iowa; Dr. Derek Posselt, University of Michigan, Ann Arbor, Michigan; Dr. Marla Potess, Hardin-Simmons University, Abilene, Texas.

Dr. Darren Proppe, Calvin College, Grand Rapids, Michigan; Dr. Kathleen Purvis-Roberts, Claremont McKenna, Pitzer, and Scripps Colleges, Claremont, California; Dr. Michael Pyle, Olivet Nazarene University, Bourbonnais, Illinois; Dr. Max Reams, Olivet Nazarene University, Bourbonnais, Illinois; Dr. Jan Reber, Taylor University, Upland, Indiana; Prof. Stanley Reczek, Gordon College, Wenham, Massachusetts; Dr. Hal Reed, Oral Roberts University, Tulsa, Oklahoma; Dr. Jeffrey Regier, Taylor University, Upland, Indiana; Dr. Timothy Richmond, Southwest Baptist University, Bolivar, Missouri; Dr. Jon Roberts, Cadmus Group, Arlington, Virginia; Dr. David Robinson, Utah State University, Logan, Utah; Dr. John Roe, The Pennsylvania State University, University Park, Pennsylvania; Dr. Thomas Roose, Trinity Christian College, Palos Heights, Illinois; Dr. Paul Rothrock, Taylor University, Upland, Indiana; Dr. John Rowley, Houghton College, Houghton, New York.

Dr. John Sanderson, Cornell University, Ithaca, New York; Dr. Jeffrey Schloss, Westmont College, Santa Barbara, California; Dr. Jonathon Schramm, Goshen College, Goshen, Indiana; Dr. Abbie Schrottenboer, Trinity Christian College, Palos Heights, Illinois; Dr. John Schutt, James A. Rhodes State College, Lima, Ohio; Dr. Arthur Schwarz, Southwestern Adventist University, Keene, Texas; Dr. Ryan Sensenig, Goshen College, Goshen, Indiana; Dr. Andrew Sensenig, Tabor College, Hillsboro, Kansas; Dr. Daniel Sharda, Olivet Nazarene University, Bourbonnais, Illinois; Dr. Joseph Sheldon, Messiah College, Grantham, Pennsylvania; Dr. Walt Sinnamon, Southern Wesleyan University, Central, South Carolina; Dr. Kumar Sinniah, Calvin College, Grand Rapids, Michigan; Dr. R. Darrell Smith, Global Environmental Relief, Conyers, Georgia; Dr. Ralph Stearley, Calvin College, Grand Rapids, Michigan; Dr. Eric Steinkamp, Northwest University, Kirkland, Washington.

Dr. Craig Story, Gordon College, Wenham, Massachusetts; Dr. Darren Stoub, Dordt College, Sioux Center, Iowa; Dr. Aaron Sullivan, Houghton College, Houghton, New York; Dr. Michael Summers, George Mason University,

George Mason University; Dr. Jack Swearengen, Washington State University, Vancouver, Vancouver, Washington; Dr. Sara Sybesma-Tolsma, Northwestern College, Orange City, Iowa; Dr. Lou Sytsma, Trinity Christian College, Palos Heights, Illinois; Dr. Kenneth Sytsma, University of Wisconsin—Madison, Madison, Wisconsin; Dr. David Terrell, Warner Pacific College, Portland, Oregon; Dr. Perry Tompkins, Southwest Baptist University, Bolivar, Missouri; Dr. Todd Tracy, Northwestern College, Orange City, Iowa; Dr. Donna Tucker, University of Kansas, Lawrence, Kansas; Dr. Daniel Tucker, University of Louisiana at Lafayette, Lafayette, Louisiana; Prof. Jonathan Twining, Eastern Nazarene College, Quincy, Massachusetts; Dr. Dave Unander, Eastern University, St. Davids, Pennsylvania.

Dr. Gerald van Belle, University of Washington, Seattle, Washington; Dr. Randall Van Dragt, Calvin College, Grand Rapids, Michigan; Dr. Fred Van Dyke, Au Sable Institute of Environmental Studies, Mancelona, Michigan; Dr. Douglas Vander Griend, Calvin College, Grand Rapids, Michigan; Dr. Steven VanderLeest, Calvin College, Grand Rapids, Michigan; Dr. Aggie Veld, Olivet Nazarene University, Bourbonnais, Illinois; Dr. Pamela Veltkamp, McMurry University, Abilene, Texas; Dr. Hans Verlinde, The Pennsylvania State University, University Park, Pennsylvania; Dr. David Vosburg, Harvey Mudd College, Claremont, California; Dr. Peter Walhout, Wheaton College, Wheaton, Illinois; Dr. David Warners, Calvin College, Grand Rapids, Michigan; Dr. Matthew Waterman, Eastern Nazarene College, Quincy, Massachusetts; Dr. Leslie Wickman, Azusa Pacific University, Azusa, California; Dr. Douglas Wiens, Washington University in Saint Louis, St. Louis, Missouri; Dr. Alex Williams, York College of Nebraska, York, Nebraska; Dr. Mark Winslow, Southern Nazarene University, Bethany, Oklahoma; Dr. Ken Wolgemuth, University of Tulsa, Tulsa, Oklahoma; Dr. Richard Wright, Gordon College, Wenham, Massachusetts; Dr. Davis Young, Calvin College, Grand Rapids, Michigan; Dr. Sharon Young, Southern Nazarene University, Bethany, Oklahoma; Dr. Uko Zylstra, Calvin College, Grand Rapids, Michigan.

Mr. WHITEHOUSE. Finally, Mr. President, at the University of Oklahoma Berrien Moore III is dean of the College of Atmosphere and Geographic Sciences. He is also Director of the National Weather Center. Dean Moore of the University of Oklahoma was a lead author on an intergovernmental panel on climate change report, which the Senator from Oklahoma is so fond of disparaging. Dr. Moore's work helped the IPCC earn the Nobel Peace Prize in 2007. He has won research accolades from NOAA and from NASA. In 2009 Dr. Moore testified before the House Committee on Science, Space, and Technology. Here is what he had to say about climate change:

On the increasing strength of Earth science, we now can state that global warming is “unequivocal.”—

There is that word again—

but this simply sets the challenge. We need now—

This is 5 years ago, by the way—

to develop the capability to monitor and thereby manage greenhouse gas emissions through this century and beyond. . . . The challenge is growing and will not go away.

The effects of climate change are all too real in Oklahoma, in Rhode Island,

and across the Nation. If you don't believe me, go to Oklahoma State and the University of Oklahoma and talk to the scientists I just mentioned. The outlook for us if we fail to act is increasingly dark.

But look again at Oklahoma. The Sooner State is the fourth largest producer of wind power in the country. Wind turbines there make progress toward energy independence and they give Oklahoma farmers steady income as a hedge against droughts and extreme weather. So people farm and they get paid for having a wind turbine located on your farm. It is a win-win. Gary McManus, the Oklahoma State climatologist, has given a number of presentations on climate change and its likely effects on his home State. He often prefaces those talks with this admonition:

This is the science. It is up to you to decide what you do with it. You can either ignore it or you can use it.

In my view, there will be a high price in harm and in infamy to this democracy if we continue to ignore it. So I say let's use it, but first we will have to wake up.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

(The remarks of Mr. GRASSLEY pertaining to the introduction of S. 335 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. GRASSLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CHIP FUNDING

Mr. BROWN. Mr. President, 1 year and 1 week ago, on a cold, snowy morning in Cleveland, OH, not much different from what I woke up to this morning in Cleveland, OH, I attended the Dr. Martin Luther King Memorial Breakfast in that city, which is also my hometown. A minister at that breakfast said something that we all know but probably have not thought about and rarely put in such succinct, meaningful words. He said: Your life expectancy is connected to your ZIP Code. Think about that. Whether you grew up on the east side of Cleveland or Gary, IN, or whether you grew up in Appalachia, OH, or southern Indiana, or whether you grew up in a city, suburb, small town, affluent, less affluent, low income, rural, or urban, your ZIP Code often determines whether you have access to quality health care, to a good, solid education, and the social support that is necessary to succeed. It is up to this body to help ensure—not

to do it and not to do it alone—that every ZIP Code is one that provides opportunity, not inequality.

Ten years ago, the ZIP Code where my wife and I live in the city of Cleveland had the highest foreclosure rate of any ZIP Code in America. Think about what that means for a 12 year-old-child of a family where the father gets laid off from work and the mother has her hours cut back. Even though they were doing everything right, they can't pay their mortgage. They sit down with their 12-year-old daughter and say: Honey, we are going to have to move, but we don't know where we are going yet. We don't know what school district you are going to be in, and we don't know if you will be close enough to be able to stay with your friends.

Those kinds of decisions happen far too often. Those kinds of scenarios happen far too often. But we know that in many ways we have made progress. Fifty years ago the poverty rate was 26 percent, and today it is around 15 percent thanks in large part to what people in this institution have done with social insurance programs, such as the Affordable Care Act, Medicaid, and today's Children's Health Insurance Program, so-called CHIP.

There was no greater champion in the Senate for children's health care than my predecessor, the Senator from West Virginia who actually sat at this desk on the Senate floor, retired Senator Jay Rockefeller. He helped to write CHIP in 1997. I was a member of the House Health Subcommittee of the Energy and Commerce Committee at that time. I believe the Presiding Officer sat on that committee when he was in the House many years ago. We worked on writing CHIP in 1997 when it was a joint State-Federal health insurance program for low- to moderate-income children and pregnant women.

Keep in mind that in most cases the children who are in today's Children's Health Insurance Program have at least one working parent in their family. CHIP provides health insurance to low-income families who fall into a coverage gap: They make too much to qualify for Medicaid, but they don't make enough to qualify for private insurance. Many employers don't offer the insurance. They don't make enough money and are not able to afford to buy the insurance due to the high copays and the high premiums they would typically face. Today's CHIP, the current CHIP program, bridges that gap.

I am honored to continue the fight to protect this program and ensure that Congress acts to extend funding for the current program before it expires at the end of September.

You may have noticed that I said today's CHIP, the current program. When CHIP started in 1997, it was a good program. It was started in the Senate by Senator Rockefeller, Senator Kennedy, and Senator HATCH. It was very bipartisan, and it passed overwhelmingly. Those of us who worked on it in the

House—Congressman Billirakis and I, as leaders on the Health Subcommittee, and others—made sure that it was bipartisan and that it worked very well. But understand that over the 20 years of CHIP, each time it has been reauthorized, we made it better. We extended the benefits because we have seen where the coverage gaps are. We made it more efficient, we made it work better, we have kept the bipartisan nature to it, and that is why I referred to it as today's CHIP, as the current program.

Providing health insurance to low-income children is not just the right thing to do, it is the smart thing to do. It is the right thing to do because these are families where the parents are working hard and taking responsibility but simply can't afford health insurance for their child. Today I was in Cleveland with a couple of people—Shonte Saunders and her daughter Amari. Ms. Saunders is a young woman with two children. Amari is 9 years old. Ms. Saunders told me she is working, raising her children, and she is in school studying to become a nurse at Cuyahoga County Community College. She is doing the right thing, but she said: If CHIP expires, I don't want to be in the position where I have to choose between taking my daughter to a doctor for an ear infection versus having to provide enough food to put food on the table, or a more serious illness or injury than that.

Why should she be subjected to that?

Listen to these numbers. Thanks to CHIP, the number of uninsured children has fallen by half. It went from 14 percent almost 20 years ago when Senator HATCH, Senator Kennedy, and Senator Rockefeller wrote this program in the Senate and Congressman Billirakis and I and others in the House wrote it to a record low of 7 percent. Because of today's CHIP, 10 million children—130,000 children in my State of Ohio alone—have access to health care they may not have received otherwise.

Over the past week I met with parents across Ohio. I met with Jennifer Huit in Cincinnati and listened to her story. In Dayton, I listened to a family talk about what CHIP means to them.

Think about this: It provides a sigh of relief for parents like Shonte and Jennifer, and not only for financial reasons. CHIP means better access for preventive and comprehensive care. Too often, if you are right on the edge and making \$12 or \$13 or less an hour and don't have Medicaid, think about the choices you know you have to make. You can't take your child to the doctor if they are only kind of sick. If you had insurance, you would take her in. But she is kind of sick, and it may get worse, but you will only take her in if it gets worse because you really can't afford those out-of-pocket expenses. Think of the tension and the difficult life that people generally have anyway at that income level. Think of how much more difficult that is. CHIP—which in Ohio is administered

through Medicaid—means that a child in Cleveland or Cincinnati or Gallipolis or Troy or Pickaway, OH, can see a family doctor when they need it, thereby preventing a costly ambulance ride and emergency room visit.

CHIP means a bunch of things. It means vaccines, shots, dental coverage, and better treatment if kids get sick. Think about this: It is not just the health care. It means they do better in school. It means they miss fewer days in school so they don't fall behind their classmates who perhaps have better health insurance. It means they perform better in school because they feel better. We know the stories of how a hungry or sick child can't focus on what they need to do in the classroom. CHIP means that children from Bowling Green will get the health care they need to become healthy, active adults.

We know that the current CHIP—today's 2015 version of CHIP—works not just because of the number of insured children under the program but because of the flexibility it provides States and the quality of care children receive.

Ohio's conservative Republican Governor supports CHIP. It is called Healthy Start in Ohio because the Governor and legislature have been given flexibility under CHIP to make it work for that State.

The flexibility that CHIP provides States is the result of 20 years of watching, observing, quantifying, and analyzing CHIP. We have had 18 years of experience in seeing what works best, and we have worked together to make improvements. As a result, under the current CHIP program, more children are covered and the coverage they get is better.

If we don't act, understand that CHIP—the authorization, the language, the law governing CHIP is in effect until 2019, but the funding for CHIP runs out in September of this year. You have to have both. You have to have the law governing CHIP—how it works, who is eligible, how the States have flexibility—but obviously you also need the money to implement it.

If Congress doesn't act now, first of all, Ohio, my State, would lose \$146 million in Federal funds in 2016 alone, and the Presiding Officer's State of Indiana would lose tens of millions of dollars in CHIP funding.

We know another thing: Whether it is Governor Pence in Indiana or Governor Kasich in my State, they need the flexibility of knowing what Congress is actually going to do. We should not wait until July or August; we should reallocate money for CHIP today. If we don't act, parents like Shonte and Jennifer may not be able to get the quality, affordable care for their children as States would start to roll back CHIP programs.

That is why I will soon introduce legislation to protect the program and extend its funding so it runs out at the same time as the authorization—the roadmap, if you will, of how CHIP will

work. If we let the program run out of funding, the number of uninsured children will increase, the quality of health care will decrease, and States will see a significant increase in cost-sharing services.

Providing health insurance to low-income children isn't just the right thing to do, it is the smart thing to do. If the program works, it works for children, it works for parents, it works for communities, and it works for our great country.

I call on my colleagues to work with me to extend funding for the current CHIP program before it is too late.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KAINE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. KAINE. Mr. President, I rise today because I wish to speak about the importance of this DHS funding bill that is going to be before the body in the coming days. In particular, I wish to emphasize what I think is the important imperative that we pass what we are calling a clean bill to fund the Department of Homeland Security for the remainder of fiscal year 2015 through the end of September. That clean bill would be a bill that would fund homeland security without attaching additional items to it concerning immigration.

The support of this legislation was an initiative we were together on. We negotiated in December as part of a budget process by leaders of both parties in both Chambers, and the funding for DHS would have been an increase to help protect our borders and help protect our security by about \$1.2 billion above the enacted level for fiscal year 2014. But at the end of the year the decision was made by the House to not fund that piece and leave it separately and that is why we are now talking about whether we will fund the Nation's homeland security efforts and under what circumstances.

All 45 Members on the Democratic side, save only Senator REID, have written a letter saying let's make sure we fund DHS at the level we have already agreed to between the Houses. Then, let's not play politics over immigration issues; let's take up immigration separately. But the House bill that has been sent to us includes measures to begin to block or unwind actions taken by the President on immigration, and those complicate what all should agree is a national imperative, which is the need to fund homeland security. If we don't pass such a bill, that funding will expire on February 28.

I don't need to explain too much why homeland security funding is important, but let me make a few points. This Department was created after the attacks of 9/11, and its stated mission—while it employs an awful lot of people and does many complicated things, the mission is quite simple—let's keep our country safe, secure, and resilient against terrorism and other hazards. We see every day the kinds of terrorism hazards we are dealing with. The horrible shooting in Paris a few weeks ago and the shooting in Quebec a few months ago remind us of the dangers of terrorism, and now that we are in a war against ISIL—a jihadist terrorist enemy that has promised to carry out attacks on the United States—we should be very concerned about the mission the DHS performs and the need to provide funding.

The men and women who work for the DHS are quite a wide swath of our Federal employees. They are the TSA personnel who protect our transportation system, the Border Patrol agents who serve on our Nation's front lines, Customs officials who oversee the entrance of nearly 1 million visitors per day who come to the United States, and we need Customs agents to help process those visitors. Our DHS folks include disaster specialists—people who respond to hurricanes and other emergencies. Our Coast Guard, our Secret Service, and many of our cyber security professionals all work for the DHS and they work hard every day to carry out that mission of keeping our Nation safe.

Funding DHS is not just critical to the Nation's security, it is also critical to the economy because DHS is the third largest agency in the Federal Government by the number of employees. The impact of any shutdown or cessation of funding would reverberate through the country, from our Southwest border to our Nation's ports to every international airport that brings in either foreign commerce or foreign visitors who want to come and be tourists in our country.

Many DHS employees, as the Presiding Officer knows, call Virginia home, and a shutdown would impact their lives and would make it difficult for them to plan not only for their immediate needs but for an unknown period of time.

So as we are facing threats—and I think we all would agree—while we sometimes have differences of opinion about how to deal with threats, I think everybody in this body would acknowledge that the threats we are dealing with as a nation are not shrinking, they are growing. The challenges we are facing are not getting fewer in number, they are getting greater in number. To respond to threats, the DHS not only needs a good funding bill at an appropriate level, which we have already agreed to, but they need financial certainty and the flexibility to direct its resources as they can.

Let me give one interesting recent example of how DHS employees have

been very important in Virginia, and how those serving in Virginia have performed a critical role for the Nation.

We saw a crisis spring up in 2014 that many of us hadn't paid too much attention to before, and that is the spread of the Ebola virus in Africa. That epidemic that began in 2014 is the largest in history for this kind of virus and it had a significant impact on many West African countries. There were more than 22,000 cases as of January 30, 2015.

One of the great things is whenever there is a challenge such as this, the nations of the world turn to the United States and they ask for our help. Many parts of our government responded. We deployed military and health professionals to Africa to try to battle the disease there, but we have also deployed our DHS personnel right here at home to keep us safe. As part of this strategy to stop the spread of Ebola, DHS announced in October that five U.S. airports would begin an advanced screening process for Ebola, and one of those airports is in Virginia, and that is Dulles airport. Shortly after, DHS announced that all travelers from Ebola-affected countries would have to enter the United States from one of these five airports.

So using existing resources—using existing resources because we didn't have an Ebola line item in the 2014 budget; this is an emergency that came up—but with existing resources, the DHS employees at Dulles were charged with supervising the entire Ebola screening process, including administering questionnaires, taking travelers' temperatures, and referring potentially infected people to the Centers for Disease Control, while also doing all of their regular duties. These officers in Virginia have gone above and beyond their mission for the sake of keeping every American safe.

Since this advanced screening began in October, CBP officers at Dulles have interviewed more than 2,000 visitors to the United States from African countries and they have referred more than 140 people to the CDC. As a result of their work and the work of their colleagues and their ability to react to this emerging threat, the United States has only seen two diagnosed cases of Ebola since advanced screening began at our airports, and both patients recovered.

This should be viewed as a huge success. Remember how worried we all were—how worried I was—when this was happening in September and October. Our DHS employees have gone the extra mile to keep us safe.

This is the kind of mission that we call upon our DHS employees to carry out for our security. It has nothing to do with congressional debates about immigration policy, but it has everything to do with doing the stated mission of keeping us safe. To limit DHS's access to resources by shutting down the agency or passing another continuing resolution that would keep them running on auto pilot—sort of

driving by looking in the rearview mirror rather than looking through the windshield of the challenges to come—would damage the ability of DHS to deal with growing threats.

I understand the message from the House. We have agreed on the right funding level for DHS. They are saying, however, that we will only fund DHS, we will only fund the guys who are protecting us from ISIL, or protecting us from Ebola, or protecting our ports from nuclear material being shipped—we will only fund it if we can get an agreement to change policies enacted by the President with immigration. They are threatening to stop funding DHS actions unless we reverse the President's actions on immigration—actions that, in my view, are already helping the economy by bringing families out of the shadows to become productive, taxpaying members of our communities.

While I strongly support the President's immigration actions—and most of them I voted for as part of the Senate's comprehensive immigration reform bill that we passed in June of 2013—I can understand there might be Members of the House who may not like those actions. They may want to do something different. And the great thing is they have an ability to do something different. The House, with a significant Republican majority, can pass their own immigration reform bill. They can retract the President's actions. They can express what they want to do about immigration reform. They can pass that bill just as they passed the DHS funding bill, and send it over to the Senate, and we can have a debate about immigration reform. But we can have that debate without holding hostage the funding of the third largest agency in government, without holding hostage the work that agency does every day to keep us safe.

I think the good news in all of this is in both the House and Senate there are people who think the immigration system is broken, the immigration system needs to be fixed, and we ought to have a dialogue to do it. Certainly, when the Senate passed an immigration reform bill in June of 2013—nearly 2 years ago—and we sent it to the House, we knew the House was not going to adopt what the Senate passed without changing anything. We were trying to start a dialogue where the House could pass their own bill and then we could sit down in conference and work out a solution to an immigration system that we all think is broken. That is what we should be doing as responsible legislators—fixing an immigration system, and even those of us who have different views, getting those views on the table and finding a compromise. It is the wrong thing to do to try to hold up funding for the third largest agency in government—this agency that is keeping us safe in so many ways all over this country every day—to try to reverse actions the President took that are well within his legal authority.

So I am going to continue to support the President's Executive actions. I am going to continue to encourage the House and others, if they have different ideas about immigration reform, to pass a bill, put their ideas on the table and we will talk about them. But it is wrong to try to hold up protecting our Nation's security as a punishment to the President for using Executive action that was within his legal power to make. Since we have the complete ability to have a discussion about immigration, let's do it.

I will conclude and say this, although I wish I didn't have to—and particularly looking at these young pages who are sitting in front of me—it is a dangerous world out there. For the sake of these youngsters and my own kids, I wish it was getting less dangerous. I have a son in the military. I wish it was getting less dangerous, but it is not. It is getting more dangerous. The kinds of threats we have to face abroad and at home are tough, challenging, difficult threats. We have professionals on the front line every day, many of whom are risking their lives for us, to try to stop these threats. Let's not starve their work. Let's not hamper their work. Let's not make them face the threat of a shutdown or losing their salary or losing their livelihood while we wait for Congress to have a meaningful debate about immigration.

I appreciate the opportunity to offer those thoughts and to urge funding for a clean DHS bill.

I yield the floor.

THE PRESIDING OFFICER (Mr. LANKFORD). The Senator from Utah.

Mr. LEE. Mr. President, tomorrow afternoon the Senate will vote to begin consideration of the bill called H.R. 240. This is a bill that authorizes funding for the Department of Homeland Security, or DHS. It would fund DHS through September of this year. This, of course, is a procedural vote we have scheduled for tomorrow, not a substantive one. The only question on the table, the sole question in connection with this particular vote, will be whether the Senate is ready to begin voting and debating on H.R. 240.

I am ready—I am eager, in fact—to begin this debate. It does need to begin. That is what this vote is about. Not just because we have only 25 days before the current budget authority for DHS expires but also because this debate will finally allow the American people to see where their elected representatives, right here in the U.S. Senate, stand on President Obama's recent Executive action on immigration.

The legislature is the only law-making branch within our Federal Government because it is the only deliberative branch in our government. Before Congress enacts a piece of legislation—before it makes a new piece of law—we first debate the merits of that legislation—weighing the various pros and cons of each proposal in a candid and transparent discussion, and allowing the various sides of the issue to make their case.

Open, robust debate is not merely incidental to the lawmaking process that goes on here, it is the essence of that lawmaking process. It is at the very heart, the very center, the very core of this process that we hold near and dear and was established by our 227-year-old founding document. It is the only way for Members of Congress to fully explore the cost and consequences of a particular policy under consideration. It is the only way for the American people to know exactly where their elected officials stand on an issue; and, just as importantly, why they stand where they stand.

When the President of the United States announced in November of last year he was singlehandedly going to rewrite our immigration laws, in effect, he short-circuited this process of debate and of deliberation that is at the very heart of our constitutional lawmaking process.

His announcement showed us what it looks like when one person ignores the limits of his office and claims the power to change the law all on his own, just as an expression of his own unilateral will.

Policies are written behind closed doors, in consultation with lawyers and special-interest groups, rather than the American people. The law is pronounced from behind a podium as a fait accompli rather than discussed and debated in an open, transparent, fair contest of ideas and open to inspection by 300 million Americans who will be affected by these decisions.

This is not how our Republic works. It is not what the American people expect from their elected officials in Washington, DC. Indeed, poll after poll shows most people disapprove of the President's Executive action on immigration—that same action taken just this last November. Even those who agree with the President on policy grounds, even those who think the President's amnesty action would be the kind of policy they would prefer, even those people disagree with the President on the process because the American people understand that the process does matter. Especially among those people who have taken an oath to uphold, protect, and defend the Constitution of the United States—that same document that prescribes the formula by which our laws are made.

According to one poll, when asked if the President should “sidestep Congress and act on his own using Executive orders,” only 22 percent of the public said he should—22 percent. It is hardly a rousing mandate from the American people. In other words, the American people know what our President seems to have forgotten: that in a constitutional republic the ends don't justify the means.

The American people oppose lawmaking by fiat not out of some abstract loyalty to the abstract concept of separation of powers. No, that is not why. Rather, they understand quite intuitively that when a President side-

steps Congress and avoids open, robust debate on a particular policy, it is probably because the public isn't likely to accept and isn't likely to like the substance of that policy. Otherwise, he wouldn't need to take this kind of action. Otherwise, he could do it through the people's duly elected representatives who have been put in office specifically for the purpose of making law through this open, deliberative, transparent process.

This is certainly what we have seen in the aftermath of the President's Executive order on immigration. The more the people discover about the content and about the consequences of his policy, the less they like it. For instance, the President claimed that his Executive order would honor the golden rule of American exceptionalism: If you work hard and play by the rules, you can get ahead.

We now know his plan subverts this very basic fundamental bargain by paving a path to citizenship for millions of immigrants who have broken the rules and violated the law, and by granting them work permits and benefits such as Social Security and Medicare.

Likewise, we were told the President's Executive order would make our immigration system more fair and more functional, more accessible for everyone. But we now know his plan will only exacerbate the problems in our labor market for American workers by giving more power and more money to the dysfunctional U.S. Citizenship and Immigration Services, or USCIS. This is the agency within the Department of Homeland Security that was recently reported to have given over 900,000 work permits to illegal immigrants since 2009. We know that unless we do something to stop it, unless we do something to reach back and take back our constitutional privilege, our institutional privilege as the lawmaking branch of the Federal Government, the President's Executive order will go into effect at a time when all net job growth in our economy since 2007 has gone to immigrants.

These are the kinds of facts and figures that ought to inform the legislative process and ought to not be treated as some sort of afterthought. These are not, coincidentally, exactly the kinds of observations, the kinds of facts and figures, the kinds of details that could have been and should have been and, undoubtedly, inevitably would have been explored had this policy been implemented through the constitutionally prescribed formula.

Last November the President may have chosen to ignore these facts and to circumvent debate altogether, but that doesn't mean we have to respond in kind. That certainly doesn't mean we have to capitulate and say, okay, the way he wants to do it is fine. It is not constitutional. It is not legal. It is not what the American people want, but we just have to accept it. No. On the contrary, I believe we have not just a right but we have a duty, we have an

affirmative obligation to make every effort to ensure lawmaking by edict does not become the new normal in this country. Not now, not ever, not in the United States of America.

Beginning debate on this bill will give us the opportunity to do just that, to make sure this never becomes the new normal. Some have said we shouldn't be debating the President's Executive action on immigration right now. They say it has nothing to do with funding the operations of the Department of Homeland Security. To this I have a very simple reply: If not now, when? If we are not going to do it right now, when are we going to do it? When will there be a better time? When will there be any adequate time for us to respond to this constitutional overreach, this grave injustice? If we don't debate the legality of the President's Executive orders when we are in the very process of authorizing money to the Department that is tasked with carrying out those very orders, then when exactly will we have that debate?

The truth is now is the perfect time because it is the only time. It is the only time when we can do this. It is the only time for us to have a meaningful debate on the President's Executive action on immigration.

At any other point our debate is more or less hypothetical. Now is the time, when we are exercising our constitutional power of the purse, that our debate has consequences, real consequences. They are consequences the American people can see and feel, consequences that will inure to the betterment or the detriment of the American people. Now is the time when this needs to be debated.

The power of the purse is the power to allocate money to fund government operations as well as the power to withhold money from improper or illegitimate government operations. It is what enables Congress—and only Congress, uniquely Congress—to reform dysfunctional government.

We like to talk about the power of the purse as a tool that Congress can use, use as a check and a balance against the excesses of an overbearing President. That is absolutely true. There is no doubt about it. But first and foremost, it is a tool for Members of Congress themselves to represent the interests of our constituents and to fix the very things that are broken within our government.

Our Constitution grants the legislative branch—this branch, Congress—the power of the purse not simply to achieve some abstract equilibrium or balance of power, but to compel the national government to truly represent the American people and to be faithful stewards of taxpayer funds.

At the end of November of last year, President Obama made his choice. It was an unfortunate choice; it was a wrong choice. It was a choice not backed up by law, not backed up by the U.S. Constitution, and flatly inconsistent with the same. President

Obama made his choice in November. Now it is time for us to make ours.

The President chose to sidestep Congress, and in the process to avoid debate and to rewrite our immigration laws on his own. Now we must decide: Are we going to be a deliberative body or are we going to be a rubberstamp for the President's agenda, whoever the President is happens to be in power, whether it is now or years from now? Are we going to be that kind of legislative body that just rubberstamps what the President does, or are we going to exercise our prerogative as an independent coordinate branch of this government to make sure our laws are faithfully and carefully executed in a manner consistent not only with the wishes of the people but also with the formula prescribed by the Constitution? Are we going to acquiesce to an Executive who disregards the boundaries of his office, or are we going to stand up for the rule of law and for the will of the American people?

I choose the latter. I urge my colleagues to choose the latter. I hope my colleagues will join me in voting to at least begin debate on H.R. 240. This is a debate the American people have been waiting for Congress to have for far too long. If not now, when? The time is now. We need to get on this bill. We need to debate it. We need to allow our constituents to be heard.

The American people have a will, and that will is expressed through regular elections. Those elections choose those people who occupy seats in this Chamber and in the House of Representatives. We must represent them. We must do so in a manner fully consistent with the oath that every one of us has taken as required by article VI of the Constitution. We can begin to do that by voting to proceed to H.R. 240 tomorrow.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CLAY HUNT SAV ACT

Mr. SULLIVAN. Mr. President, last night tens of millions of Americans watched the Super Bowl, a game that has become a national tradition, something of an American holiday—and for good reason. Competition, grit, and hard work can bring out the best in all of us. But not all Americans were watching.

Last night, just like every other night of the year, there were young American men and women, humbly and without complaint, shouldering the burden of protecting their fellow citizens from harm. Some were doing this overseas, in places both familiar and

unfamiliar to us. Others were here in America doing the hard training that is necessary to hone their warrior skills to protect us.

I had the privilege of being with thousands of these fine young Americans last night at the Army's National Training Center, the NTC, at Fort Irwin, CA. Just as in the Super Bowl, they were on the field engaged in fierce competition, force-on-force operations, as part of some of the best, most challenging military training anywhere in the world.

But unlike the Super Bowl, there were no winners or losers last night—just winners. Among the participants at NTC are 3,000 soldiers from a battle-hardened Army Stryker brigade based in Fairbanks, AK, along with hundreds of paratroopers from other military bases across Alaska. I felt immense pride in watching them train last night.

These young men and women, volunteers all, selflessly stand ready to fight and give their lives for our great country. With all due respect to my distinguished colleagues from New England who are deservedly celebrating today, it is very important to keep in mind that America's true patriots were on the field last night in places such as Fort Irwin, Baghdad, and Kabul.

We have an important opportunity to honor their service tomorrow as we prepare to vote on a bipartisan bill to make sure the patriots in our military have the resources and care that can help them fight the despair of suicide. Tomorrow we vote on the Clay Hunt Suicide Prevention for American Veterans Act, which I was proud to cosponsor and help pass out of the Veteran's Affairs Committee.

This bill is named for a true American hero, a decorated Marine who fought in Afghanistan and Iraq and who struggled with despair and ultimately took his own life. This bill will start to bring greater awareness and services to the devastation that too many of our finest fall sway to. I encourage all of my distinguished colleagues to vote for this bill tomorrow so we can get it on the President's desk for his signature as soon as possible.

A vote tomorrow will be a vote for Clay Hunt, for his courageous family, and for all the families and their loved ones who have lost someone to the national tragedy of suicide.

This will be a vote for my State, Alaska, which proudly boasts the highest number of veterans per capita in the United States but, sadly, has the highest rates of suicide in our country. This is also a personal vote for me. It is a story I do not share often or lightly. As an officer in the Marine Corps, both on Active Duty and in the Reserve, I have personally witnessed the struggles, at times tragic, that some of our service men and women undergo.

The suicide of a young Alaskan marine under my command still haunts me. You always wonder: Could I have done more? With the proper awareness

and resources this marine might be alive today. That is why we need legislation such as the Clay Hunt bill. When I cast my vote tomorrow, it will be a vote for all of our veterans but particularly for the families who have suffered the unspeakable pain of suicide.

This is a good bill. It is a good start. As my distinguished colleague from Connecticut calls it, this bill is a downpayment on our debt to our veterans. It will not solve all the problems they face, including rates of suicide among veterans that are far too high in this country. But it is an important beginning. I ask my colleagues to vote for this bill tomorrow.

I yield the floor.

#### CELEBRATING THE 40TH ANNIVERSARY OF CONGREGATION NER TAMID

Mr. REID. Mr. President, I rise today in celebration of the 40th anniversary of Congregation Ner Tamid in Henderson, NV. With its strong commitment to serving others, Congregation Ner Tamid is an integral and deeply valued part of the Las Vegas community.

As the largest Reform synagogue in the State of Nevada, with a membership of more than 600 families, Congregation Ner Tamid is an important center for the Jewish community. For decades, the congregation has provided opportunities for religious education to members of all ages and helped sustain important Jewish traditions that have been practiced for centuries. At the same time, Congregation Ner Tamid has worked to develop strong, interfaith relationships with other communities in southern Nevada. Congregation Ner Tamid hosted the Interfaith Council of Southern Nevada's annual Thanksgiving observance this past November, bringing together people with diverse spiritual views in a unified commitment to mutual understanding and cooperation.

In particular, I appreciate the value Congregation Ner Tamid places on serving others and working to improve the Las Vegas community. Congregation Ner Tamid is committed to helping the homeless, engaging in important political discussions, and providing support to individuals and families through a variety of programs and events.

I extend my congratulations to Congregation Ner Tamid on this important anniversary, and I thank Rabbi Sanford Akselrad, Cantor Jessica Hutchings, president Jacky Rosen, and the past presidents of Congregation Ner Tamid for their leadership and dedication.

#### LAND AND WATER CONSERVATION FUND

Mr. CARPER. Mr. President, I ask unanimous consent to engage in a colloquy with Senator WYDEN.

The PRESIDING OFFICER. Without objection, it is so ordered.



Mr. CARPER. Mr. President, I rise for the purpose of entering into a colloquy with the senior senator from Oregon and ranking member of the Finance Committee in regards to the Land and Water Conservation Fund.

As the senior senator from Oregon knows, the Land and Water Conservation Fund was created in a bipartisan manner to help safeguard national parks, rivers, lakes and critical habitats for wildlife in all fifty States. Over the years, the Land and Water Conservation Fund has helped protect some of our Nation's most treasured places. Two such places are located in Delaware. They are the Bombay Hook National Wildlife Refuge and the Prime Hook National Wildlife Refuge. Now that Delaware has a new national park—the First State National Historical Park—the State has even more opportunities to take advantage of the Land and Water Conservation Fund.

As you know, every year, some of the royalties from drilling for oil and gas on public lands are paid into the Land and Water Conservation Fund. Despite over \$900 million coming into the fund every year, only about one-third of that amount actually goes toward conservation. The funding is diverted elsewhere, despite the huge unmet need across our country to safeguard national parks, national forests, national wildlife refuges, rivers, lakes, and critical wildlife habitat.

Two weeks ago, I sought to bring an amendment up for a vote on S. 1, the Keystone XL Pipeline Act, in an effort to address some of the Land and Water Conservation Fund funding issues. Critical habitats are impacted every year by the building of pipelines like the Keystone pipeline. Therefore, increasing funding for the Land and Water Conservation Fund to help counter these impacts seemed like a relevant issue to debate and vote on. Unfortunately, my amendment was tabled, along with other Democratic amendments, and we were not able to have that debate and vote. Although I am disappointed we were not able to address this issue on this piece of legislation, I am determined to continue to work on this issue.

Let me say to my colleague, our ranking member, I know you have been a long-time champion for the Land and Water Conservation Fund. I would welcome the opportunity to work with you and your staff on legislation that not only reauthorizes the program, but also better ensures that the revenues credited to the Land and Water Conservation Fund each year are no longer diverted, but are used instead to meet more of our Nation's critical conservation needs. Would the Senator be willing to work with my staff and me?

Mr. WYDEN. I want to thank the senior Senator from Delaware for raising this important issue. I would be happy to work with him on this issue because, as my friend and colleague from Delaware knows, the Land and Water Conservation Fund is not only good for the

environment but good for local economies. Economists have determined that communities that are near or part of protected natural resources have better and more sustainable economic outlooks than communities that are not.

In addition to the Land and Water Conservation Fund, I have been working on longer term solutions to the need to reauthorize the Secure Rural Schools and Community Self-Determination Act, as well as the need to consistently fund Payments in Lieu of Taxes. These programs share a similar, though not identical, vision as the Land and Water Conservation Fund in that they seek to support the rural communities that house some of our most important conservation-based treasures. I know the Senator seeks to support these sorts of American communities and so, while we are working on ensuring the stable continuation of the Land and Water Conservation Fund, we can also work together on these funds.

Mr. CARPER. I thank the Senator.

## COMMITTEE ON FOREIGN RELATIONS

### RULES OF PROCEDURE

Mr. CORKER. Mr. President, the Committee on Foreign Relations has adopted rules governing its procedures for the 114th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator MENENDEZ, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

### RULES OF THE COMMITTEE ON FOREIGN RELATIONS

#### RULE 1—JURISDICTION

(a) *Substantive*.—In accordance with Senate Rule XXV.1(j)(1), the jurisdiction of the committee shall extend to all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Acquisition of land and buildings for embassies and legations in foreign countries.
2. Boundaries of the United States.
3. Diplomatic service.
4. Foreign economic, military, technical, and humanitarian assistance.
5. Foreign loans.
6. International activities of the American National Red Cross and the International Committee of the Red Cross.
7. International aspects of nuclear energy, including nuclear transfer policy.
8. International conferences and congresses.
9. International law as it relates to foreign policy.
10. International Monetary Fund and other international organizations established primarily for international monetary purposes (except that, at the request of the Committee on Banking, Housing, and Urban Affairs, any proposed legislation relating to such subjects reported by the Committee on Foreign Relations shall be referred to the Committee on Banking, Housing, and Urban Affairs).

11. Intervention abroad and declarations of war.

12. Measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad.

13. National security and international aspects of trusteeships of the United States.

14. Ocean and international environmental and scientific affairs as they relate to foreign policy.

15. Protection of United States citizens abroad and expatriation.

16. Relations of the United States with foreign nations generally.

17. Treaties and executive agreements, except reciprocal trade agreements.

18. United Nations and its affiliated organizations.

19. World Bank group, the regional development banks, and other international organizations established primarily for development assistance purposes.

The committee is also mandated by Senate Rule XXV.1(j)(2) to study and review, on a comprehensive basis, matters relating to the national security policy, foreign policy, and international economic policy as it relates to foreign policy of the United States, and matters relating to food, hunger, and nutrition in foreign countries, and report thereon from time to time.

(b) *Oversight*.—The committee also has a responsibility under Senate Rule XXVI.8(a)(2), which provides that “. . . each standing committee . . . shall review and study, on a continuing basis, the application, administration, and execution of those laws or parts of laws, the subject matter of which is within the jurisdiction of the committee.”

(c) *“Advice and Consent” Clauses*.—The committee has a special responsibility to assist the Senate in its constitutional function of providing “advice and consent” to all treaties entered into by the United States and all nominations to the principal executive branch positions in the field of foreign policy and diplomacy.

#### RULE 2—SUBCOMMITTEES

(a) *Creation*.—Unless otherwise authorized by law or Senate resolution, subcommittees shall be created by majority vote of the committee and shall deal with such legislation and oversight of programs and policies as the committee directs. Legislative measures or other matters may be referred to a subcommittee for consideration in the discretion of the chairman or by vote of a majority of the committee. If the principal subject matter of a measure or matter to be referred falls within the jurisdiction of more than one subcommittee, the chairman or the committee may refer the matter to two or more subcommittees for joint consideration.

(b) *Assignments*.—Assignments of members to subcommittees shall be made in an equitable fashion. No member of the committee may receive assignment to a second subcommittee until, in order of seniority, all members of the committee have chosen assignments to one subcommittee, and no member shall receive assignments to a third subcommittee until, in order of seniority, all members have chosen assignments to two subcommittees.

No member of the committee may serve on more than four subcommittees at any one time.

The chairman and ranking member of the committee shall be *ex officio* members, without vote, of each subcommittee.

(c) *Hearings*.—Except when funds have been specifically made available by the Senate for a subcommittee purpose, no subcommittee of the Committee on Foreign Relations shall hold hearings involving expenses without prior approval of the chairman of the full

committee or by decision of the full committee. Hearings of subcommittees shall be scheduled after consultation with the chairman of the committee with a view toward avoiding conflicts with hearings of other subcommittees insofar as possible. Hearings of subcommittees shall not be scheduled to conflict with meetings or hearings of the full committee.

The proceedings of each subcommittee shall be governed by the rules of the full committee, subject to such authorizations or limitations as the committee may from time to time prescribe.

#### RULE 3—MEETINGS AND HEARINGS

(a) *Regular Meeting Day.*—The regular meeting day of the Committee on Foreign Relations for the transaction of committee business shall be on Tuesday of each week, unless otherwise directed by the chairman.

(b) *Additional Meetings and Hearings.*—Additional meetings and hearings of the committee may be called by the chairman as he may deem necessary. If at least three members of the committee desire that a special meeting of the committee be called by the chairman, those members may file in the offices of the committee their written request to the chairman for that special meeting. Immediately upon filing of the request, the chief clerk of the committee shall notify the chairman of the filing of the request. If, within three calendar days after the filing of the request, the chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date and hour of that special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk shall notify all members of the committee that such special meeting will be held and inform them of its date and hour.

(c) *Hearings, Selection of Witnesses.*—To ensure that the issue which is the subject of the hearing is presented as fully and fairly as possible, whenever a hearing is conducted by the committee or a subcommittee upon any measure or matter, the ranking member of the committee or subcommittee may select and call an equal number of non-governmental witnesses to testify at that hearing.

(d) *Public Announcement.*—The committee, or any subcommittee thereof, shall make public announcement of the date, place, time, and subject matter of any meeting or hearing to be conducted on any measure or matter at least seven calendar days in advance of such meetings or hearings, unless the chairman of the committee, or subcommittee, in consultation with the ranking member, determines that there is good cause to begin such meeting or hearing at an earlier date.

(e) *Procedure.*—Insofar as possible, proceedings of the committee will be conducted without resort to the formalities of parliamentary procedure and with due regard for the views of all members. Issues of procedure which may arise from time to time shall be resolved by decision of the chairman, in consultation with the ranking member. The chairman, in consultation with the ranking member, may also propose special procedures to govern the consideration of particular matters by the committee.

(f) *Closed Sessions.*—Each meeting and hearing of the Committee on Foreign Relations, or any subcommittee thereof shall be open to the public, except that a meeting or hearing or series of meetings or hearings by the committee or a subcommittee on the same subject for a period of no more than 14

calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in paragraphs (1) through (6) would require the meeting or hearing to be closed followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or hearing or series of meetings or hearings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct; to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by government officers and employees; or

(B) the information has been obtained by the government on a confidential basis, other than through an application by such person for a specific government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person, or

(6) may divulge matters required to be kept confidential under other provisions of law or government regulations.

A closed meeting or hearing may be opened by a majority vote of the committee.

(g) *Staff Attendance.*—A member of the committee may have one member of his or her personal staff, for whom that member assumes personal responsibility, accompany and be seated nearby at committee meetings and hearings. The chairman or ranking member may authorize the attendance and seating of such a staff member at committee meetings and hearings where the member of the committee is not present.

Each member of the committee may designate members of his or her personal staff for whom that member assumes personal responsibility, who holds, at a minimum, a top secret security clearance, for the purpose of their eligibility to attend closed sessions of the committee, subject to the same conditions set forth for committee staff under Rules 12, 13, and 14.

In addition, the majority leader and the minority leader of the Senate, if they are not otherwise members of the committee, may designate one member of their staff for whom that leader assumes personal responsibility and who holds, at a minimum, a top secret security clearance, to attend closed sessions of the committee, subject to the same conditions set forth for committee staff under Rules 12, 13, and 14.

Staff of other Senators who are not members of the committee may not attend closed sessions of the committee.

Attendance of committee staff at meetings and hearings shall be limited to those designated by the staff director or the minority staff director.

The committee, by majority vote, or the chairman, with the concurrence of the rank-

ing member, may limit staff attendance at specified meetings or hearings.

#### RULE 4—QUORUMS

(a) *Testimony.*—For the purpose of taking sworn or unsworn testimony at any duly scheduled meeting a quorum of the committee and each subcommittee thereof shall consist of one member of such committee or subcommittee.

(b) *Business.*—A quorum for the transaction of committee or subcommittee business, other than for reporting a measure or recommendation to the Senate or the taking of testimony, shall consist of one-third of the members of the committee or subcommittee, including at least one member from each party.

(c) *Reporting.*—A majority of the membership of the committee, including at least one member from each party, shall constitute a quorum for reporting any measure or recommendation to the Senate. No measure or recommendation shall be ordered reported from the committee unless a majority of the committee members is physically present, including at least one member from each party, and a majority of those present concurs.

#### RULE 5—PROXIES

Proxies must be in writing with the signature of the absent member. Subject to the requirements of Rule 4 for the physical presence of a quorum to report a matter, proxy voting shall be allowed on all measures and matters before the committee. However, proxies shall not be voted on a measure or matter except when the absent member has been informed of the matter on which he is being recorded and has affirmatively requested that he or she be so recorded.

#### RULE 6—WITNESSES

(a) *General.*—The Committee on Foreign Relations will consider requests to testify on any matter or measure pending before the committee.

(b) *Presentation.*—If the chairman so determines, the oral presentation of witnesses shall be limited to 10 minutes. However, written statements of reasonable length may be submitted by witnesses and other interested persons who are unable to testify in person.

(c) *Filing of Statements.*—A witness appearing before the committee, or any subcommittee thereof, shall submit an electronic copy of the written statement of his proposed testimony at least 24 hours prior to his appearance, unless this requirement is waived by the chairman and the ranking member following their determination that there is good cause for failure to file such a statement.

(d) *Expenses.*—Only the chairman may authorize expenditures of funds for the expenses of witnesses appearing before the committee or its subcommittees.

(e) *Requests.*—Any witness called for a hearing may submit a written request to the chairman no later than 24 hours in advance for his testimony to be in closed or open session, or for any other unusual procedure. The chairman shall determine whether to grant any such request and shall notify the committee members of the request and of his decision.

#### RULE 7—SUBPOENAS

(a) *Authorization.*—The chairman or any other member of the committee, when authorized by a majority vote of the committee at a meeting or by proxies, shall have authority to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials. At the request of any member of the committee, the committee shall authorize the issuance of a subpoena only at a meeting of the committee. When the committee authorizes a

subpoena, it may be issued upon the signature of the chairman or any other member designated by the committee.

(b) *Return.*—A subpoena, or a request to an agency, for documents may be issued whose return shall occur at a time and place other than that of a scheduled committee meeting. A return on such a subpoena or request which is incomplete or accompanied by an objection constitutes good cause for a hearing on shortened notice. Upon such a return, the chairman or any other member designated by him may convene a hearing by giving 4 hours notice by telephone or electronic mail to all other members. One member shall constitute a quorum for such a hearing. The sole purpose of such a hearing shall be to elucidate further information about the return and to rule on the objection.

(c) *Depositions.*—At the direction of the committee, staff is authorized to take depositions from witnesses.

#### RULE 8—REPORTS

(a) *Filing.*—When the committee has ordered a measure or recommendation reported, the report thereon shall be filed in the Senate at the earliest practicable time.

(b) *Supplemental, Minority and Additional Views.*—A member of the committee who gives notice of his intentions to file supplemental, minority, or additional views at the time of final committee approval of a measure or matter, shall be entitled to not less than 3 calendar days in which to file such views, in writing (including by electronic mail), with the chief clerk of the committee, with the 3 days to begin at 11:00 p.m. on the same day that the committee has ordered a measure or matter reported. Such views shall then be included in the committee report and printed in the same volume, as a part thereof, and their inclusion shall be noted on the cover of the report. In the absence of timely notice, the committee report may be filed and printed immediately without such views.

(c) *Roll Call Votes.*—The results of all roll call votes taken in any meeting of the committee on any measure, or amendment thereto, shall be announced in the committee report. The announcement shall include a tabulation of the votes cast in favor and votes cast in opposition to each such measure and amendment by each member of the committee.

#### RULE 9—TREATIES

(a) *General.*—The committee is the only committee of the Senate with jurisdiction to review and report to the Senate on treaties submitted by the President for Senate advice and consent to ratification. Because the House of Representatives has no role in the approval of treaties, the committee is therefore the only congressional committee with responsibility for treaties.

(b) *Committee Proceedings.*—Once submitted by the President for advice and consent, each treaty is referred to the committee and remains on its calendar from Congress to Congress until the committee takes action to report it to the Senate or recommend its return to the President, or until the committee is discharged of the treaty by the Senate.

(c) *Floor Proceedings.*—In accordance with Senate Rule XXX.2, treaties which have been reported to the Senate but not acted on before the end of a Congress "shall be resumed at the commencement of the next Congress as if no proceedings had previously been had thereon."

(d) *Hearings.*—Insofar as possible, the committee should conduct a public hearing on each treaty as soon as possible after its submission by the President. Except in extraordinary circumstances, treaties reported to

the Senate shall be accompanied by a written report.

#### RULE 10—NOMINATIONS

(a) *Waiting Requirement.*—Unless otherwise directed by the chairman and the ranking member, the Committee on Foreign Relations shall not consider any nomination until 5 business days after it has been formally submitted to the Senate.

(b) *Public Consideration.*—Nominees for any post who are invited to appear before the committee shall be heard in public session, unless a majority of the committee decrees otherwise, consistent with Rule 3(f).

(c) *Required Data.*—No nomination shall be reported to the Senate unless (1) the nominee has been accorded a security clearance on the basis of a thorough investigation by executive branch agencies; (2) the nominee has filed a financial disclosure report and a related ethics undertaking with the committee; (3) the committee has been assured that the nominee does not have any interests which could conflict with the interests of the government in the exercise of the nominee's proposed responsibilities; (4) for persons nominated to be chief of mission, ambassador-at-large, or minister, the committee has received a complete list of any contributions made by the nominee or members of his immediate family to any Federal election campaign during the year of his or her nomination and for the 4 preceding years; (5) for persons nominated to be chiefs of mission, the report required by Section 304(a)(4) of the Foreign Service Act of 1980 on the demonstrated competence of that nominee to perform the duties of the position to which he or she has been nominated; and (6) the nominee has provided the committee with a signed and notarized copy of the committee questionnaire for executive branch nominees.

#### RULE 11—TRAVEL

(a) *Foreign Travel.*—No member of the Committee on Foreign Relations or its staff shall travel abroad on committee business unless specifically authorized by the chairman, who is required by law to approve vouchers and report expenditures of foreign currencies, and the ranking member. Requests for authorization of such travel shall state the purpose and, when completed, a full substantive and financial report shall be filed with the committee within 30 days. This report shall be furnished to all members of the committee and shall not be otherwise disseminated without authorization of the chairman and the ranking member. Except in extraordinary circumstances, staff travel shall not be approved unless the reporting requirements have been fulfilled for all prior trips. Except for travel that is strictly personal, travel funded by non-U.S. Government sources is subject to the same approval and substantive reporting requirements as U.S. Government-funded travel. In addition, members and staff are reminded to consult the Senate Code of Conduct, and, as appropriate, the Senate Select Committee on Ethics, in the case of travel sponsored by non-U.S. Government sources.

Any proposed travel by committee staff for a subcommittee purpose must be approved by the subcommittee chairman and ranking member prior to submission of the request to the chairman and ranking member of the full committee.

(b) *Domestic Travel.*—All official travel in the United States by the committee staff shall be approved in advance by the staff director, or in the case of minority staff, by the minority staff director.

(c) *Personal Staff Travel.*—As a general rule, no more than one member of the personal staff of a member of the committee may travel with that member with the ap-

proval of the chairman and the ranking member of the committee. During such travel, the personal staff member shall be considered to be an employee of the committee.

(d) *PRM Travel.*—For the purposes of this rule regarding staff foreign travel, the officially-designated personal representative of the member pursuant to rule 14(b), shall be deemed to have the same rights, duties, and responsibilities as members of the staff of the Committee on Foreign Relations.

#### RULE 12—TRANSCRIPTS AND MATERIALS PROVIDED TO THE COMMITTEE

(a) *General.*—The Committee on Foreign Relations shall keep verbatim transcripts of all committee and subcommittee meetings and hearings and such transcripts shall remain in the custody of the committee, unless a majority of the committee decides otherwise. Transcripts of public hearings by the committee shall be published unless the chairman, with the concurrence of the ranking member, determines otherwise.

The committee, through the chief clerk, shall also maintain at least one copy of all materials provided to the committee by the Executive Branch; such copy shall remain in the custody of the committee and be subject to the committee's rules and procedures, including those rules and procedures applicable to the handling of classified materials.

Such transcripts and materials shall be made available to all members of the committee, committee staff, and designated personal representatives of members of the committee, except as otherwise provided in these rules.

(b) *Classified or Restricted Transcripts or Materials.*—

(1) The chief clerk of the committee shall have responsibility for the maintenance and security of classified or restricted transcripts or materials, and shall ensure that such transcripts or materials are handled in a manner consistent with the requirements of the United States Senate Security Manual.

(2) A record shall be maintained of each use of classified or restricted transcripts or materials as required by the Senate Security Manual.

(3) Classified transcripts or materials may not leave the committee offices, or SVC-217 of the Capitol Visitors Center, except for the purpose of declassification or archiving, consistent with these rules.

(4) Extreme care shall be exercised to avoid taking notes or quotes from classified transcripts or materials. Their contents may not be divulged to any unauthorized person.

(5) Subject to any additional restrictions imposed by the chairman with the concurrence of the ranking member, only the following persons are authorized to have access to classified or restricted transcripts or materials:

(A) Members and staff of the committee in the committee offices or in SVC-217 of the Capitol Visitors Center;

(B) Designated personal representatives of members of the committee, and of the majority and minority leaders, with appropriate security clearances, in the committee offices or in SVC-217 of the Capitol Visitors Center;

(C) Senators not members of the committee, by permission of the chairman, in the committee offices or in SVC-217 of the Capitol Visitors Center; and

(D) Officials of the executive departments involved in the meeting, hearing, or matter, with authorization of the chairman, in the committee offices or SVC-217 of the Capitol Visitors Center.

(6) Any restrictions imposed by the committee upon access to a meeting or hearing of the committee shall also apply to the transcript of such meeting, except by special

permission of the chairman and ranking member.

(7) In addition to restrictions resulting from the inclusion of any classified information in the transcript of a committee meeting or hearing, members and staff shall not discuss with anyone the proceedings of the committee in closed session or reveal information conveyed or discussed in such a session unless that person would have been permitted to attend the session itself or is a member or staff of a relevant committee or executive branch agency and possess an appropriate security clearance, or unless such communication is specifically authorized by the chairman, the ranking member, or in the case of staff, by the staff director or minority staff director. A record shall be kept of all such authorizations.

(c) *Declassification.*—

(1) All noncurrent records of the committee are governed by Rule XI of the Standing Rules of the Senate and by S. Res. 474 (96th Congress). Any classified transcripts or materials transferred to the National Archives and Records Administration under Rule XI may not be made available for public use unless they have been subject to declassification review in accordance with applicable laws or Executive orders.

(2) Any transcript or classified committee report, or any portion thereof, may be declassified, in accordance with applicable laws or Executive orders, sooner than the time period provided for under S. Res. 474 if:

(A) the chairman originates such action, with the concurrence of the ranking member;

(B) the other current members of the committee who participated in such meeting or report have been notified of the proposed declassification, and have not objected thereto, except that the committee by majority vote may overrule any objections thereby raised to early declassification; and

(C) the executive departments that participated in the meeting or originated the classified information have been consulted regarding the declassification.

RULE 13—CLASSIFIED INFORMATION

(a) *General.*—The handling of classified information in the Senate is governed by S. Res. 243 (100th Congress), which established the Office of Senate Security. All handling of classified information by the committee shall be consistent with the procedures set forth in the United States Senate Security Manual issued by the Office of Senate Security.

(b) *Security Manager.*—The chief clerk is the security manager for the committee. The chief clerk shall be responsible for implementing the provisions of the Senate Security Manual and for serving as the committee liaison to the Office of Senate Security. The staff director, in consultation with the minority staff director, may appoint an alternate security manager as circumstances warrant.

(c) *Transportation of Classified Material.*—Classified material may only be transported between Senate offices by appropriately cleared staff members who have been specifically authorized to do so by the security manager.

(d) *Access to Classified Material.*—In general, Senators and staff undertake to confine their access to classified information on the basis of a “need to know” such information related to their committee responsibilities.

(e) *Staff Clearances.*—The chairman, or, in the case of minority staff, the ranking member, shall designate the members of the committee staff whose assignments require access to classified and compartmented information and shall seek to obtain the requisite security clearances pursuant to Office of Senate Security procedures.

(f) *PRM Clearances.*—For the purposes of this rule regarding security clearances and access to compartmented information, the officially-designated personal representative of the member (PRM) pursuant to rule 14(b), shall be deemed to have the same rights, duties, and responsibilities as members of the staff of the Committee on Foreign Relations.

(g) *Regulations.*—The staff director is authorized to make such administrative regulations as may be necessary to carry out the provisions of this rule.

RULE 14—STAFF

(a) *Responsibilities.*—

(1) The staff works for the committee as a whole, under the general supervision of the chairman of the committee, and the immediate direction of the staff director, except that such part of the staff as is designated minority staff shall be under the general supervision of the ranking member and under the immediate direction of the minority staff director.

(2) Any member of the committee should feel free to call upon the staff at any time for assistance in connection with committee business. Members of the Senate not members of the committee who call upon the staff for assistance from time to time should be given assistance subject to the overriding responsibility of the staff to the committee.

(3) The staff's primary responsibility is with respect to bills, resolutions, treaties, and nominations and other matters within the jurisdiction of the committee. In addition to carrying out assignments from the committee and its individual members, the staff has a responsibility to originate suggestions for committee or subcommittee consideration. The staff also has a responsibility to make suggestions to individual members regarding matters of special interest to such members.

(4) It is part of the staff's duty to keep itself as well informed as possible in regard to developments affecting foreign relations and national security and in regard to the administration of foreign programs of the United States. Significant trends or developments which might otherwise escape notice should be called to the attention of the committee, or of individual Senators with particular interests.

(5) The staff shall pay due regard to the constitutional separation of powers between the Senate and the executive branch. It therefore has a responsibility to help the committee bring to bear an independent, objective judgment of proposals by the executive branch and when appropriate to originate sound proposals of its own. At the same time, the staff shall avoid impinging upon the day-to-day conduct of foreign affairs.

(6) In those instances when committee action requires the expression of minority views, the staff shall assist the minority as fully as the majority to the end that all points of view may be fully considered by members of the committee and of the Senate. The staff shall bear in mind that under our constitutional system it is the responsibility of the elected members of the Senate to determine legislative issues in the light of as full and fair a presentation of the facts as the staff may be able to obtain.

(b) *Personal Representatives of the Member (PRM).*—Each Senator on the committee shall be authorized to designate one personal staff member as the member's personal representative of the member and designee to the committee (PRM) that shall be deemed to have the same rights, duties, and responsibilities as members of the staff of the Committee on Foreign Relations where specifically provided for in these rules.

(c) *Restrictions.*—

(1) The staff shall regard its relationship to the committee as a privileged one, in the

nature of the relationship of a lawyer to a client. In order to protect this relationship and the mutual confidence which must prevail if the committee-staff relationship is to be a satisfactory and fruitful one, the following criteria shall apply, unless staff has consulted with and obtained, as appropriate, the approval of the Senate Ethics Committee and advance permission from the staff director (or the minority staff director in the case of minority staff):

(A) members of the staff shall not be identified with any special interest group in the field of foreign relations or allow their names to be used by any such group; and

(B) members of the staff shall not accept public speaking engagements or write for publication in the field of foreign relations.

(2) The staff shall not discuss their private conversations with members of the committee without specific advance permission from the Senator or Senators concerned.

(3) The staff shall not discuss with anyone the proceedings of the committee in closed session or reveal information conveyed or discussed in such a session unless that person would have been permitted to attend the session itself or is a member or staff of a relevant committee or executive branch agency and possesses an appropriate security clearance, or unless such communication is specifically authorized by the staff director or minority staff director. Unauthorized disclosure of information from a closed session or of classified information shall be cause for immediate dismissal and may, in certain cases, be grounds for criminal prosecution.

RULE 15—STATUS AND AMENDMENT OF RULES

(a) *Status.*—In addition to the foregoing, the Committee on Foreign Relations is governed by the Standing Rules of the Senate, which shall take precedence in the event of a clear inconsistency. In addition, the jurisdiction and responsibilities of the committee with respect to certain matters, as well as the timing and procedure for their consideration in committee, may be governed by statute.

(b) *Amendment.*—These rules may be modified, amended, or repealed by a majority of the committee, provided that a notice in writing (including by electronic mail) of the proposed change has been given to each member at least 72 hours prior to the meeting at which action thereon is to be taken. However, rules of the committee which are based upon Senate rules may not be superseded by committee vote alone.

ADDITIONAL STATEMENTS

TRIBUTE TO ODELL LUMONT PRICE

• Mr. SCOTT. Mr. President, I am humbled to recognize Mr. Odell Lumont Price, and especially during Black History Month. As a constituent, I can say he has encouraged all who are familiar with his story. Mr. Price exemplifies the words of the late Dr. Martin Luther King, Jr.—he has truly lived a life in which he has been “judged by the content of his character rather than the color of his skin.”

He grew up in Liberty Hill, a small part of North Charleston, and was among the first to graduate from all-white North Charleston High in 1967. Upon graduation, he volunteered to join the U.S. Marines at the age of 17 because he lacked the finances to attend college. He also served to show his

love and respect for his country and family.

He saw much during his time in battle, and quickly became a squad leader of the 3rd Marine Division. After leaving the military, he used the GI Bill to further his education. Mr. Price believes that the opportunity to further his education played a huge part in his success working at the Charleston Naval Shipyard.

Mr. Price is an example of everything that has allowed me to stand before you today. His values of faith, family and freedom have granted me the chance to stand on his shoulders and continue helping our beloved country march forward.

Please join me in a heartfelt "Thanks" to not only a fellow South Carolinian but someone who deserves the title of "Hero" for his service to our country.●

#### REMEMBERING PRIVATE NATHAN WHITE, JR.

● Mr. SCOTT. Mr. President, I rise today to honor another of our Lowcountry Vietnam Veterans, Nathan White, Jr. He grew up in the area known as Liberty Hill, SC. As a young boy growing up, he embedded in his heart a desire to be a U.S. Marine. His mother gave her final blessing upon his graduation from Bonds-Wilson High School, and Nathan went to training at Parris Island before being deployed to Vietnam.

Private White gave his life while saving a fellow Marine at the age of 19 years old. His influence continues today in the lives of his family members who have extended his love of serving our country. His oldest nephew Alfred Green serves in Germany and his niece Lt. Col. Antoinette Sheppard proudly serves at Joint Base Charleston.

We are also honored to recognize his sister Alfreda Levaine, who not only helped raise her brother but also took a stand and marched with Mrs. Coretta Scott King in 1969. As she passionately puts it, "you have to stand for something during your life to make a difference."

It is with pride and honor we recognize Private Nathan White, Jr. and his family. We will never forget his sacrifice.●

#### BUDGET OF THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2016—PM 3

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred jointly, pursuant to the order of January 30, 1975 as modified by the order of April 11, 1986; to the Committees on Appropriations; and the Budget:

*To the Congress of the United States:*

After a breakthrough year for America, our economy is growing and creating jobs at the fastest pace since 1999, and in 58 months we have created

over 11 million jobs. Our unemployment rate is now lower than it was before the financial crisis. More of our kids are graduating than ever before. More of our people are insured than ever before. We are as free from the grip of foreign oil as we've been in almost 30 years. Thanks to the hard work, resilience, and determination of the American people over the last six years, the shadow of crisis has passed.

With a growing economy, shrinking deficits, bustling industry, and booming energy production, we have risen from recession freer to write our own future than any other Nation on Earth. It's now up to us to choose what kind of country we want to be over the next 15 years, and for decades to come. Will we accept an economy where prosperity belongs to a few and opportunity remains out of reach for too many? Or will we commit ourselves to an economy that generates rising incomes and chances for everyone who makes the effort?

Over the last six years, we've seen that middle-class economic works. We've reaffirmed one of our most fundamental values as Americans: that this country does best when everyone gets their fair shot, does their fair share, and plays by the same set of rules.

The ideas I offer in this Budget are designed to bring middle-class economic into the 21st Century. These proposals are practical, not partisan. They'll help working families feel more secure with paychecks that go further, help American workers upgrade their skills, so they can compete for higher-paying jobs, and help create the conditions for our businesses to keep generating good new jobs for our workers to fill. The Budget will do these things while fulfilling our most basic responsibility to keep Americans safe. We will make these investments and end the harmful spending cuts known as sequestration, by cutting inefficient spending, and closing tax loopholes. We will also put our Nation on a more sustainable fiscal path by achieving \$1.8 trillion in deficit reduction, primarily from reforms in health programs, our tax code, and immigration.

First, middle-class economics means helping working families afford the cornerstones of economic security: child care, college, health care, a home, and retirement. We will help working families tackle the high costs of child care and make ends meet by tripling the maximum child care credit for middle-class families with young children, increasing it to up to \$3,000 per child, expanding child care assistance to all eligible low-income families with children under four by the end of 10 years, and making preschool available to all four-year-olds.

The Budget also provides middle-class families more flexibility at work by encouraging States to develop paid family leave programs. Today, we're the only advanced country on Earth that doesn't guarantee paid sick leave or paid maternity leave to our workers. Forty-three million workers have no

paid sick leave, which forces too many parents to make the gut-wrenching choice between a paycheck and a sick kid at home. It's time to change that. For many families in today's economy, having both parents in the workforce isn't a luxury, it's an economic necessity.

Second, middle-class economics means making sure more Americans have the chance to learn the skills and education they need to keep earning higher wages down the road. The Budget calls for new investments and innovation that will expand preschool and invest in high-quality early education for America's youngest learners, provide more help to disadvantaged students and the schools that serve them, better prepare and support teachers, and transform our high schools so they help all students graduate prepared for college and career.

In a 21st Century economy that rewards knowledge more than ever, our efforts must reach higher than high school. By the end of this decade, two-thirds of job openings will require some higher education, and no American should be priced out of the education they need. Over the course of my Administration, we have increased Pell Grants, and the Budget continues to ensure that they will keep pace with inflation over time. The Budget also includes a bold new plan to bring down the cost of community college tuition for responsible students, to zero. Forty percent of college students attend community college; some to learn a particular skill, others as a path to a four-year degree. It is time for two years of college to become as free and universal in America as high school is today.

Even as we help give our students the chance to succeed, we also must work together to give our workers the chance to retool. Last year, the Congress came together and passed important improvements to the Nation's job training system with the bipartisan Workforce Innovation and Opportunity Act. To build on this progress, the proposals in this Budget support more in-person career counseling for unemployed workers and double the number of workers receiving training through the workforce development system. My plan would also expand the successful "learn-as-you-earn" approaches that our European counterparts use successfully by investing in the expansion of registered apprenticeships that allow workers to learn new skills while they are earning a paycheck. The Budget would also ensure that training leads to high-quality jobs by investing in projects that feature strong employer partnerships, include work-based learning, and develop new employer-validated credentials.

As we welcome home a new generation of returning heroes, the Budget makes sure they have the chance to live the American Dream they helped defend. It invests in the five pillars I have outlined to support our Nation's

veterans: providing the resources and funding they deserve; ensuring high-quality and timely health care; getting veterans their earned benefits quickly and efficiently; ending veteran homelessness; and helping veterans and their families get good jobs, education, and access to affordable housing.

Third, middle-class economics means creating the kind of environment that helps businesses start here, stay here, and hire here. We want to build on the growth we have seen in the manufacturing sector, where more than 750,000 new jobs have been created over the last 58 months. To create jobs, continue growth in the industry, and strengthen America's leadership in advanced manufacturing technology, the Budget funds a national network of 45 manufacturing institutes, building on the nine already funded through 2015. As part of the manufacturing initiative, the Budget also launches a Scale-Up Fund, funded through a public-private partnership to help ensure that if a technology is invented in the United States, it can be made in the United States. The Budget proposes an investment fund to help startup companies produce the goods they have developed. Taken together, these investments will help ensure that America keeps making things the rest of the world wants to buy and will also help create manufacturing jobs for the future.

Our Nation thrives when we are leading the world with cutting-edge technology in manufacturing, infrastructure, clean energy, and other growing fields. That is why the Budget includes investments in cutting-edge advanced manufacturing research—to make sure we are leading the way in creating technology that supports our manufacturing sector; biomedical research—like our BRAIN initiative, which studies the brain to offer new insight into diseases like Alzheimer's, and Precision Medicine, which can improve health outcomes and better treat diseases; or, agricultural research—looking at climate resilience and sustainability. These investments have the potential to create high-wage jobs, improve lives, and open the door to new industries, resulting in sustainable economic growth.

As our economy continues to grow, our Nation's businesses and workers also need a stronger infrastructure that works in the new economy—modern ports, stronger bridges, better roads, faster trains, and better broadband. The Budget proposes to build a 21st Century infrastructure that creates jobs for thousands of construction workers and engineers, connects hardworking Americans to their jobs, and makes it easier for businesses to transport goods. The Budget would do more to repair and modernize our existing roads and bridges, while expanding transit systems to link communities and support workers.

These proposals will put more money in middle-class pockets, raise wages, and bring more high-paying jobs to

America. To pay for them, the Budget will cut inefficient spending and close tax loopholes to make sure that everyone pays their fair share. The Budget closes loopholes that punish businesses investing domestically and reward companies that keep profits abroad, and uses some of the savings created to rebuild our aging infrastructure. The Budget closes loopholes that perpetuate inequality by allowing the top one percent of Americans to avoid paying any taxes on their accumulated wealth and uses that money to help more young people go to college. The Budget simplifies the system so that a small business owner can file based on her actual bank statement, instead of the number of accountants she can afford. It is time for tax reform that at its core is about helping working families afford child care and college, and plan for retirement, and above all, get a leg up in the new economy.

Of course, we cannot separate our work here at home from challenges beyond our shores. By winding down the wars overseas and lowering war spending, we've strengthened our economy and shrunk our deficits. But we still face threats to our security that we must address.

The Budget supports our efforts to degrade and ultimately destroy ISIL. We are leading over 60 partners in a global effort that will take time and steady resolve. As I made clear in my State of the Union address, I am calling on the Congress to show the world that we are united in this mission by passing a bill to authorize the use of force against ISIL.

The Budget supports our efforts to counter Russian pressure and aggressive actions in concert with our European allies, by funding support for Ukraine's democracy and efforts to reassure our NATO allies.

We also must look beyond the issues that have consumed us in the past to shape the coming century. This Budget provides the resources we need to defend the Nation against cyber-attacks. No foreign nation, no hacker, should be able to shut down our networks, steal our trade secrets, or invade the privacy of American families. In addition to increasing funding to protect our Nation against cyber-attacks, I continue to urge the Congress to finally pass the legislation we need to meet this evolving threat.

The Budget invests in our efforts to confront the threat posed by infectious diseases like Ebola—here at home, and internationally. It provides resources to support the Global Health Security Agenda, increases funding to eradicate polio and other global health challenges, and creates a new Impact Fund for targeted global HIV/AIDS efforts. In addition, the Budget increases funding for domestic preparedness efforts to more effectively and efficiently respond to potential, future outbreaks here at home and dedicates funding for States to develop HIV Plans to help them reach the goals of the National HIV/AIDS Strategy.

The Budget also capitalizes on historic opportunities in Asia and the Pacific—where we are modernizing alliances, opening new markets, and making sure that other nations play by the rules—in how they trade, resolve disputes, and do their part to confront the biggest challenges we face.

No challenge poses a greater threat to future generations than climate change. Fourteen of our planet's 15 warmest years on record have all fallen in the first 15 years of this century. The world's best scientists are telling us that our activities are changing the climate, and if we do not act forcefully, we'll continue to see rising oceans, longer, hotter heat waves, dangerous droughts and floods, and massive disruptions that can trigger greater migration, conflict, and hunger around the globe. The Pentagon says that climate change poses immediate risks to our national security. And as discussed in the Budget, the significant costs to inaction on climate change hit the Federal Government's bottom-line directly, as worsening climate impacts create Government liabilities. That's why this Budget takes action on climate by supporting the Climate Action Plan that I released in 2013 with investments to accelerate carbon pollution reductions, to build on-the-ground partnerships with local communities and help them put in place strategies for greater resilience to climate change impacts, and to support America's leadership abroad on this important moral and fiscal issue.

Beyond these critical investments, the Budget also supports my Management Agenda, which seeks to create a Government for the future that is more efficient, effective, and supportive of economic growth. The Budget includes initiatives to improve the service we provide to the American public; to leverage the Federal Government's buying power to bring more value and efficiency to how we use taxpayer dollars; to open Government data and research to the private sector to drive innovation and economic growth; to promote smarter information technology; and, to attract and retain the best talent in the Federal workforce. The Budget includes proposals to consolidate and reorganize Government agencies to make them leaner and more efficient, and it increases the use of evidence and evaluation to ensure that taxpayer dollars are spent wisely on programs that work.

The Congress can also help grow the economy, reduce deficits, and strengthen Social Security by passing comprehensive immigration reform. Last year, I took a series of executive actions to crack down on illegal immigration at the border; prioritize deporting felons, not families; and allow certain undocumented immigrants who register and pass criminal and national security background checks to start paying their fair share of taxes and stay in the United States without fear of deportation. I also took action to



streamline the legal immigration system for talented STEM students, entrepreneurs, and business. These actions will raise average wages for all American workers and reduce the deficit. But this is only a first step toward real reform, and as I have said before, the Congress should act on the more comprehensive reform that only changes in the law can provide. Independent economists say immigration reform will grow our economy and shrink our deficits by almost \$1 trillion over 20 years. It is time to fix our broken system and help grow our economy by passing comprehensive immigration reform.

The Budget also builds on the progress we have made ensuring that every American has the peace of mind that comes with quality, affordable health insurance. The Affordable Care Act has helped to provide millions more Americans get covered. It has forced insurance companies to play by the rules by prohibiting discrimination for pre-existing conditions and eliminating lifetime insurance caps. It has also helped to put our Nation on a more sustainable fiscal path by slowing the growth of health care costs. The Budget includes additional reforms and cost saving proposals to continue encouraging high-quality and efficient health care.

This Budget shows what we can do if we invest in America's future and commit ourselves to an economy that rewards hard work, generates rising incomes, and allows everyone to share in the prosperity of a growing America. It lays out a strategy to strengthen our middle class, and help America's hard-working families get ahead in a time of relentless economic and technological change.

Fifteen years into this new century, and six years after the darkest days of the financial crisis, we have picked ourselves up, dusted ourselves off, and begun again the work of remaking America. We've laid a new foundation. A brighter future is ours to write. This Budget will help us begin this new chapter together.

BARACK OBAMA.  
THE WHITE HOUSE, February 2, 2015.

## MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 338. A bill to permanently reauthorize the Land and Water Conservation Fund.

S. 339. A bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-499. A communication from the Director, National Institute of Food and Agri-

culture, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Hispanic-Serving Agricultural Colleges and Universities (HSACU)" (RIN0524-AA39) received in the Office of the President of the Senate on January 28, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-500. A communication from the Acting Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Adding 20 Coral Species to the List of Endangered and Threatened Wildlife" (RIN1018-BA63) received in the Office of the President of the Senate on January 27, 2015; to the Committee on Environment and Public Works.

EC-501. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting, pursuant to law, a report entitled "Department of Homeland Security Privacy Office 2014 Annual Report to Congress"; to the Committee on Homeland Security and Governmental Affairs.

EC-502. A communication from the Deputy Director, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Closed-Circuit Escape Respirators; Extension of Transition Period" (RIN0920-AA60) received in the Office of the President of the Senate on January 28, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-503. A communication from the Assistant Secretary of Legislative Affairs, Department of Homeland Security, transmitting, pursuant to law, a report entitled "Report on H-1B Petitions" for fiscal year 2014; to the Committee on the Judiciary.

EC-504. A communication from the Assistant Secretary of Legislative Affairs, Department of Homeland Security, transmitting, pursuant to law, a report entitled "2014 Data Mining Report to Congress"; to the Committee on the Judiciary.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MANCHIN (for himself, Mr. PAUL, Mr. WYDEN, and Mr. CRUZ):

S. 327. A bill to provide for auditable financial statements for the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Ms. KLOBUCHAR (for herself, Mr. LEE, and Mr. SCHUMER):

S. 328. A bill to amend the Trademark Act of 1946 to provide for the registration of marks consisting of a flag, coat of arms, or other insignia of the United States, or any State or local government, and for other purposes; to the Committee on the Judiciary.

By Mr. MURPHY (for himself and Mr. BLUMENTHAL):

S. 329. A bill to amend the Wild and Scenic Rivers Act to designate certain segments of the Farmington River and Salmon Brook in the State of Connecticut as components of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HELLER (for himself and Ms. STABENOW):

S. 330. A bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified

conservation contributions, and for other purposes; to the Committee on Finance.

By Mr. CRAPO (for himself, Mr. UDALL, Mr. BENNET, Mr. HEINRICH, and Mr. RISCH):

S. 331. A bill to amend the Radiation Exposure Compensation Act to improve compensation for workers involved in uranium mining, and for other purposes; to the Committee on the Judiciary.

By Mr. GRASSLEY (for himself and Mr. SCHUMER):

S. 332. A bill to amend title XVIII of the Social Security Act to make permanent the extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program; to the Committee on Finance.

By Mr. PORTMAN (for himself, Ms. AYOTTE, Mr. BARRASSO, Mr. BOOZMAN, Mrs. CAPITO, Mr. CRAPO, Mr. GRASSLEY, Mr. ISAKSON, Mr. JOHNSON, Mr. LEE, Mr. RUBIO, and Mr. VITTER):

S. 333. A bill to require that any debt limit increase be balanced by equal spending cuts over the next decade; to the Committee on the Budget.

By Mr. PORTMAN (for himself, Ms. AYOTTE, Mr. BARRASSO, Mr. ENZI, Mr. GRASSLEY, Mr. ISAKSON, Mr. JOHNSON, Mr. LEE, Mr. RUBIO, and Mr. TOOMEY):

S. 334. A bill to amend title 31, United States Code, to provide for automatic continuing resolutions; to the Committee on Appropriations.

By Mr. GRASSLEY (for himself, Mr. CASEY, Mr. BURR, Mr. WARNER, Mr. ROBERTS, and Mr. CARDIN):

S. 335. A bill to amend the Internal Revenue Code of 1986 to improve 529 plans; to the Committee on Finance.

By Mr. CRUZ (for himself, Mr. MCCONNELL, Mr. CORNYN, Mr. VITTER, Mr. TOOMEY, Mr. PAUL, Mr. BARRASSO, Mr. PORTMAN, Mr. ISAKSON, Mr. SCOTT, Mr. HATCH, Mr. CRAPO, Mr. INHOFE, Mr. WICKER, Mr. PERDUE, Ms. AYOTTE, Mr. RUBIO, Mr. BLUNT, Mr. MORAN, Mr. COATS, Mrs. FISCHER, Mr. GRASSLEY, Mr. LANKFORD, Mr. FLAKE, Mrs. ERNST, Mr. DAINES, Mr. THUNE, Mr. COCHRAN, Mr. BOOZMAN, Mr. BURR, Mr. LEE, Mr. GARDNER, Mr. MCCAIN, Mr. SHELBY, Mr. ROBERTS, Mr. COTTON, Mr. SASSE, Mr. ALEXANDER, Mr. JOHNSON, Mr. HOEVEN, Mr. ROUNDS, Mrs. CAPITO, Mr. TILLIS, Mr. GRAHAM, Mr. CASSIDY, Ms. MURKOWSKI, Mr. RISCH, and Mr. SESSIONS):

S. 336. A bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely; to the Committee on Finance.

By Mr. CORNYN (for himself, Mr. LEAHY, and Mr. GRASSLEY):

S. 337. A bill to improve the Freedom of Information Act; to the Committee on the Judiciary.

By Mr. BURR (for himself and Mr. BENNET):

S. 338. A bill to permanently reauthorize the Land and Water Conservation Fund; read the first time.

By Mr. CRUZ (for himself, Mr. MCCONNELL, Mr. CORNYN, Mr. VITTER, Mr. TOOMEY, Mr. PAUL, Mr. BARRASSO, Mr. PORTMAN, Mr. ISAKSON, Mr. SCOTT, Mr. HATCH, Mr. CRAPO, Mr. INHOFE, Mr. WICKER, Mr. PERDUE, Ms. AYOTTE, Mr. RUBIO, Mr. BLUNT, Mr. MORAN, Mr. COATS, Mrs. FISCHER, Mr. GRASSLEY, Mr. LANKFORD, Mr. FLAKE, Mrs. ERNST, Mr. DAINES, Mr. THUNE, Mr. COCHRAN, Mr. BOOZMAN, Mr. BURR, Mr. LEE, Mr. GARDNER, Mr. MCCAIN, Mr. SHELBY, Mr. ROBERTS,

Mr. COTTON, Mr. SASSE, Mr. ALEXANDER, Mr. JOHNSON, Mr. HOEVEN, Mr. ROUNDS, Mrs. CAPITO, Mr. TILLIS, Mr. GRAHAM, Mr. CASSIDY, Ms. MURKOWSKI, Mr. SESSIONS, and Mr. RISCH):

S. 339. A bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely; read the first time.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MARKEY:

S. Res. 61. A resolution honoring the life and legacy of Peggy Charren; to the Committee on the Judiciary.

By Ms. HEITKAMP (for herself, Mr. THUNE, Ms. BALDWIN, Mr. BARRASSO, Mr. DAINES, Mr. FRANKEN, Mr. HEINRICH, Ms. HIRONO, Mr. HOEVEN, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. MORAN, Mrs. MURRAY, Mr. PETERS, Ms. STABENOW, Mr. TESTER, and Mr. UDALL):

S. Res. 62. A resolution designating the week beginning on February 8, 2015, as "National Tribal Colleges and Universities Week"; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 167

At the request of Mr. MCCAIN, the names of the Senator from Oregon (Mr. WYDEN), the Senator from North Dakota (Mr. HOEVEN), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Colorado (Mr. BENNET) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 167, a bill to direct the Secretary of Veterans Affairs to provide for the conduct of annual evaluations of mental health care and suicide prevention programs of the Department of Veterans Affairs, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

S. 176

At the request of Mr. REID, his name was added as a cosponsor of S. 176, a bill to advance integrated water management and development through innovation, resiliency, conservation, and efficiency in the 21st century, and for other purposes.

S. 197

At the request of Ms. BALDWIN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Vermont (Mr. SANDERS) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 197, a bill to amend the Elementary and Secondary Education Act of 1965 to award grants to States to improve delivery of high-quality assessments, and for other purposes.

S. 198

At the request of Mr. DURBIN, the name of the Senator from Wisconsin

(Ms. BALDWIN) was added as a cosponsor of S. 198, a bill to amend the Internal Revenue Code of 1986 to modify the rules relating to inverted corporations.

S. 207

At the request of Mr. MORAN, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 207, a bill to require the Secretary of Veterans Affairs to use existing authorities to furnish health care at non-Department of Veterans Affairs facilities to veterans who live more than 40 miles driving distance from the closest medical facility of the Department that furnishes the care sought by the veteran, and for other purposes.

S. 240

At the request of Mr. BOOKER, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 240, a bill to promote competition, to preserve the ability of local governments to provide broadband capability and services, and for other purposes.

S. 257

At the request of Mr. MORAN, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 257, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 258

At the request of Mr. ROBERTS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 258, a bill to amend title XVIII of the Social Security Act to remove the 96-hour physician certification requirement for inpatient critical access hospital services.

S. 269

At the request of Mr. KIRK, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 269, a bill to expand sanctions imposed with respect to Iran and to impose additional sanctions with respect to Iran, and for other purposes.

S. 270

At the request of Mrs. SHAHEEN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 270, a bill to amend title 38, United States Code, to revise the definition of spouse for purposes of veterans benefits in recognition of new State definitions of spouse, and for other purposes.

S. 273

At the request of Mr. CRUZ, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 273, a bill to amend title 18, United States Code, to prohibit the intentional discrimination of a person or organization by an employee of the Internal Revenue Service.

S. 274

At the request of Mr. CRUZ, the name of the Senator from Utah (Mr. LEE) was

added as a cosponsor of S. 274, a bill to prohibit the Department of the Treasury from assigning tax statuses to organizations based on their political beliefs and activities.

S. 293

At the request of Mr. CORNYN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 293, a bill to amend the Endangered Species Act of 1973 to establish a procedure for approval of certain settlements.

S. 314

At the request of Mr. GRASSLEY, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 316

At the request of Mr. KIRK, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 316, a bill to amend the charter school program under the Elementary and Secondary Education Act of 1965.

S. 322

At the request of Ms. AYOTTE, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 322, a bill to amend the Internal Revenue Code of 1986 to exclude certain compensation received by public safety officers and their dependents from gross income.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY (for himself, Mr. CASEY, Mr. BURR, Mr. WARNER, Mr. ROBERTS, and Mr. CARDIN):

S. 335. A bill to amend the Internal Revenue Code of 1986 to improve 529 plans; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, I am glad to be joined by Senator CASEY of Pennsylvania in introducing bipartisan legislation to improve upon the already immensely successful college 529 savings programs. Those are savings plans to go to college. The 529 plans have helped millions earn a college degree without piling up a mountain of debt. These plans have long had strong bipartisan support, and I am glad the introduction of this bill today continues that tradition.

Given the bipartisan nature of 529 plans, it came as a shock to me, and I am sure to most of my colleagues, when the President put forth a proposal that would undermine years of hard work toward making savings for college as accessible as it is today. College savings vehicles, we now know by the Tax Code section—that is where section 529 comes from—were first started by States in the late 1980s. However, it was only after a bipartisan effort led by then-Senator Bob Graham of Florida and Senator MCCONNELL,

now our majority leader, in 1996 that these savings plans were finally enshrined in section 529 of the Tax Code.

By recognizing college savings plans in the Tax Code, States and participants could now be certain about the favorable tax treatment they would receive and thus the plans flourished. During this time, individuals' parents and grandparents were able to contribute to savings plans with certainty that the college savings for themselves and their loved ones would accumulate tax free. However, while 529 plans could accumulate interest tax free, tax was still owed once money was distributed to pay for college.

So in 2001, as chairman of the Finance Committee, I worked with Senator Baucus of Montana and others to advance a proposal to further enhance college savings by excluding distributions from 529 plans from income tax so long as the money was used to pay for college education costs. We were then successful in making this provision permanent in the tax law as part of the Pension Protection Act of 2006.

This change helped 529 plans take off to even new heights. From 2001 to 2002 assets in these plans doubled from \$13 billion to \$26 billion and totalled nearly \$245 billion by July last year. The total number of accounts also nearly doubled. The number of accounts increased from 2.4 million in 2001 to 4.4 million in 2002 and increased to nearly 12 million by July of last year.

The misguided proposal put forth in the President's State of the Union Address has a potential to reverse these gains by once again subjecting distributions to tax. The policy rationale given by the President was that too much of the benefit for 529 plans went to more affluent households and individuals. I believe a big reason the President's proposal was met with bipartisan disapproval is that we all know firsthand through communications with our constituents back home that the typical family with a 529 account is one with only modest means. We hear about how they have scrimped and pinched pennies so they could put money away for their child's college. They have a dream of sending their child to college and graduating without a crushing amount of debt holding them back as they start their new career post-college.

Data from the College Savings Plans Network backs up this anecdotal evidence that we receive at the grassroots from our constituents. On a national basis the average account balance is under \$21,000 and for Iowans the average balance is slightly lower than \$17,878. This is obviously hard evidence that a typical family contributing to a 529 account is far from being part of the wealthy elite the President wants us to believe they are.

A private study commissioned by the College Savings Foundation further demonstrates that these accounts are largely held by middle-class families. According to this study, about 10 per-

cent of 529 accounts are owned by households with income below \$50,000, over 70 percent are owned by households with income below \$150,000, and almost 95 percent of 529 accounts are in households with incomes below \$250,000.

The bill I introduced today with Democratic Senator CASEY will help build on the success that has so far been achieved by increasing the attractiveness of 529 plans.

This bill has three primary provisions:

The first provision recognizes the reality that in today's world a computer is just as much a necessary educational tool—and the expense associated with it—as a required class textbook. As such, this bill allows 529 funds to purchase a computer on the same tax payroll basis as other required materials.

The second provision eliminates an outdated and unnecessary aggregation rule that increases paperwork and costs for plan administrators.

The final provision provides tax and penalty relief in instances where a student may have to withdraw from school for illness or other reasons. Under current law, any refunds from the college are subject to immediate taxation and a 10-percent tax penalty. This provision eliminates this tax and penalty if the refund is redeposited in a 529 account. This permits a family to set the refund aside to pay for the student's education should that student be able to return to college or to use it for another family member.

The reforms in 529 plans included in Senator CASEY's and my bill are very modest but will help keep administrative costs low and provide a little extra incentive for parents to put money away for their child's education. The bill further demonstrates a renewed bipartisan commitment to 529 plans that will hopefully help erase concerns some may have in contributing to 529s given the President's misguided proposal.

I hope Congress will act on this legislation and speak with a loud bipartisan voice on its commitment to college savings.

By Mr. CORNYN (for himself, Mr. LEAHY, and Mr. GRASSLEY):

S. 337. A bill to improve the Freedom of Information Act; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 337

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "FOIA Improvement Act of 2015".

#### SEC. 2. AMENDMENTS TO FOIA.

Section 552 of title 5, United States Code, is amended—

- (1) in subsection (a)—
- (A) in paragraph (2)—

- (i) in the matter preceding subparagraph (A), by striking "for public inspection and copying"; and inserting "for public inspection in an electronic format";

- (ii) by striking subparagraph (D) and inserting the following:

"(D) copies of all records, regardless of form or format—

"(i) that have been released to any person under paragraph (3); and

"(ii)(I) that because of the nature of their subject matter, the agency determines have become or are likely to become the subject of subsequent requests for substantially the same records; or

"(II) that have been requested 3 or more times; and"; and

(iii) in the undesignated matter following subparagraph (E), by striking "public inspection and copying current" and inserting "public inspection in an electronic format current";

(B) in paragraph (4)(A), by striking clause (viii) and inserting the following:

"(viii)(I) Except as provided in subclause (II), an agency shall not assess any search fees (or in the case of a requester described under clause (ii)(II) of this subparagraph, duplication fees) under this subparagraph if the agency has failed to comply with any time limit under paragraph (6).

"(II)(aa) If an agency has determined that unusual circumstances apply (as the term is defined in paragraph (6)(B)) and the agency provided a timely written notice to the requester in accordance with paragraph (6)(B), a failure described in subclause (I) is excused for an additional 10 days. If the agency fails to comply with the extended time limit, the agency may not assess any search fees (or in the case of a requester described under clause (ii)(II) of this subparagraph, duplication fees).

"(bb) If an agency has determined that unusual circumstances apply and more than 50,000 pages are necessary to respond to the request, an agency may charge search fees (or in the case of a requester described under clause (ii)(II) of this subparagraph, duplication fees) if the agency has provided a timely written notice to the requester in accordance with paragraph (6)(B) and the agency has discussed with the requester via written mail, electronic mail, or telephone (or made not less than 3 good-faith attempts to do so) how the requester could effectively limit the scope of the request in accordance with paragraph (6)(B)(ii).

"(cc) If a court has determined that exceptional circumstances exist (as that term is defined in paragraph (6)(C)), a failure described in subclause (I) shall be excused for the length of time provided by the court order.";

(C) in paragraph (6)—

(i) in subparagraph (A)(i), by striking "making such request" and all that follows through "determination; and" and inserting the following: "making such request of—"

"(I) such determination and the reasons therefor;

"(II) the right of such person to seek assistance from the FOIA Public Liaison of the agency; and

"(III) in the case of an adverse determination—

"(aa) the right of such person to appeal to the head of the agency, within a period determined by the head of the agency that is not less than 90 days after the date of such adverse determination; and

"(bb) the right of such person to seek dispute resolution services from the FOIA Public Liaison of the agency or the Office of Government Information Services; and"; and

(ii) in subparagraph (B)(ii), by striking "the agency." and inserting "the agency, and notify the requester of the right of the

requester to seek dispute resolution services from the Office of Government Information Services.”; and

(D) by adding at the end the following:

“(8)(A) An agency—

“(i) shall—

“(I) withhold information under this section only if—

“(aa) the agency reasonably foresees that disclosure would harm an interest protected by an exemption described in subsection (b) or other provision of law; or

“(bb) disclosure is prohibited by law; and

“(II)(aa) consider whether partial disclosure of information is possible whenever the agency determines that a full disclosure of a requested record is not possible; and

“(bb) take reasonable steps necessary to segregate and release nonexempt information; and

“(ii) may not—

“(I) withhold information requested under this section merely because the agency can demonstrate, as a technical matter, that the records fall within the scope of an exemption described in subsection (b); or

“(II) withhold information requested under this section merely because disclosure of the information may be embarrassing to the agency or because of speculative or abstract concerns.

“(B) Nothing in this paragraph requires disclosure of information that is otherwise prohibited from disclosure by law, or otherwise exempted from disclosure under subsection (b)(3).”;

(2) in subsection (b), by amending paragraph (5) to read as follows:

“(5) inter-agency or intra-agency memorandums or letters that would not be available by law to a party other than an agency in litigation with the agency, if the requested record or information was created less than 25 years before the date on which the request was made.”;

(3) in subsection (e)

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting “and to the Director of the Office of Government Information Services” after “United States”;

(ii) in subparagraph (N), by striking “and” at the end;

(iii) in subparagraph (O), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

“(P) the number of times the agency denied a request for records under subsection (c); and

“(Q) the number of records that were made available for public inspection in an electronic format under subsection (a)(2).”;

(B) by striking paragraph (3) and inserting the following:

“(3) Each agency shall make each such report available for public inspection in an electronic format. In addition, each agency shall make the raw statistical data used in each report available in a timely manner for public inspection in an electronic format, which shall be made available—

“(A) without charge, license, or registration requirement;

“(B) in an aggregated, searchable format; and

“(C) in a format that may be downloaded in bulk.”;

(C) in paragraph (4)—

(i) by striking “Government Reform and Oversight” and inserting “Oversight and Government Reform”;

(ii) by inserting “Homeland Security and” before “Governmental Affairs”;

(iii) by striking “April” and inserting “March”; and

(D) by striking paragraph (6) and inserting the following:

“(6)(A) The Attorney General of the United States shall submit to the Committee on Oversight and Government Reform of the House of Representatives, the Committee on Judiciary of the Senate, and the President a report on or before March 1 of each calendar year, which shall include for the prior calendar year—

“(i) a listing of the number of cases arising under this section;

“(ii) a listing of—

“(I) each subsection, and any exemption, if applicable, involved in each case arising under this section;

“(II) the disposition of each case arising under this section; and

“(III) the cost, fees, and penalties assessed under subparagraphs (E), (F), and (G) of subsection (a)(4); and

“(iii) a description of the efforts undertaken by the Department of Justice to encourage agency compliance with this section.

“(B) The Attorney General of the United States shall make—

“(i) each report submitted under subparagraph (A) available for public inspection in an electronic format; and

“(ii) the raw statistical data used in each report submitted under subparagraph (A) available for public inspection in an electronic format, which shall be made available—

“(I) without charge, license, or registration requirement;

“(II) in an aggregated, searchable format; and

“(III) in a format that may be downloaded in bulk.”;

(4) in subsection (g), in the matter preceding paragraph (1), by striking “publicly available upon request” and inserting “available for public inspection in an electronic format”;

(5) in subsection (h)—

(A) in paragraph (1), by adding at the end the following: “The head of the Office shall be the Director of the Office of Government Information Services.”;

(B) in paragraph (2), by striking subparagraph (C) and inserting the following:

“(C) identify procedures and methods for improving compliance under this section.”;

(C) by striking paragraph (3) and inserting the following:

“(3) The Office of Government Information Services shall offer mediation services to resolve disputes between persons making requests under this section and administrative agencies as a non-exclusive alternative to litigation and may issue advisory opinions at the discretion of the Office or upon request of any party to a dispute.”; and

(D) by adding at the end the following:

“(4)(A) Not less frequently than annually, the Director of the Office of Government Information Services shall submit to the Committee on Oversight and Government Reform of the House of Representatives, the Committee on the Judiciary of the Senate, and the President—

“(i) a report on the findings of the information reviewed and identified under paragraph (2);

“(ii) a summary of the activities of the Office of Government Information Services under paragraph (3), including—

“(I) any advisory opinions issued; and

“(II) the number of times each agency engaged in dispute resolution with the assistance of the Office of Government Information Services or the FOIA Public Liaison; and

“(iii) legislative and regulatory recommendations, if any, to improve the administration of this section.

“(B) The Director of the Office of Government Information Services shall make each

report submitted under subparagraph (A) available for public inspection in an electronic format.

“(C) The Director of the Office of Government Information Services shall not be required to obtain the prior approval, comment, or review of any officer or agency of the United States, including the Department of Justice, the Archivist of the United States, or the Office of Management and Budget before submitting to Congress, or any committee or subcommittee thereof, any reports, recommendations, testimony, or comments, if such submissions include a statement indicating that the views expressed therein are those of the Director and do not necessarily represent the views of the President.

“(5) The Director of the Office of Government Information Services may directly submit additional information to Congress and the President as the Director determines to be appropriate.

“(6) Not less frequently than annually, the Office of Government Information Services shall conduct a meeting that is open to the public on the review and reports by the Office and shall allow interested persons to appear and present oral or written statements at the meeting.”;

(6) by striking subsections (i), (j), and (k), and inserting the following:

“(i) The Government Accountability Office shall—

“(1) not later than 1 year after the date of enactment of the FOIA Improvement Act of 2015 and every 2 years thereafter, conduct audits of 3 or more administrative agencies on compliance with and implementation of the requirements of this section and issue reports detailing the results of such audits;

“(2) not later than 1 year after the date of enactment of the FOIA Improvement Act of 2015 and every 2 years thereafter, issue a report cataloging the number of exemptions described in paragraphs (3) and (5) of subsection (b) and the use of such exemptions by each agency;

“(3) not later than 1 year after the date of enactment of the FOIA Improvement Act of 2015, conduct a study on the methods Federal agencies use to reduce the backlog of requests under this section and issue a report on the effectiveness of those methods; and

“(4) submit copies of all reports and audits described in this subsection to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on the Judiciary of the Senate.

“(j)(1) Each agency shall designate a Chief FOIA Officer who shall be a senior official of such agency (at the Assistant Secretary or equivalent level).

“(2) The Chief FOIA Officer of each agency shall, subject to the authority of the head of the agency—

“(A) have agency-wide responsibility for efficient and appropriate compliance with this section;

“(B) monitor implementation of this section throughout the agency and keep the head of the agency, the chief legal officer of the agency, and the Attorney General appropriately informed of the agency’s performance in implementing this section;

“(C) recommend to the head of the agency such adjustments to agency practices, policies, personnel, and funding as may be necessary to improve its implementation of this section;

“(D) review and report to the Attorney General, through the head of the agency, at such times and in such formats as the Attorney General may direct, on the agency’s performance in implementing this section;

“(E) facilitate public understanding of the purposes of the statutory exemptions of this section by including concise descriptions of

the exemptions in both the agency's handbook issued under subsection (g), and the agency's annual report on this section, and by providing an overview, where appropriate, of certain general categories of agency records to which those exemptions apply;

“(F) offer training to agency staff regarding their responsibilities under this section;

“(G) serve as the primary agency liaison with the Office of Government Information Services and the Office of Information Policy; and

“(H) designate 1 or more FOIA Public Liaisons.

“(3) The Chief FOIA Officer of each agency shall review, not less frequently than annually, all aspects of the administration of this section by the agency to ensure compliance with the requirements of this section, including—

“(A) agency regulations;

“(B) disclosure of records required under paragraphs (2) and (8) of subsection (a);

“(C) assessment of fees and determination of eligibility for fee waivers;

“(D) the timely processing of requests for information under this section;

“(E) the use of exemptions under subsection (b); and

“(F) dispute resolution services with the assistance of the Office of Government Information Services or the FOIA Public Liaison.

“(k)(1) There is established in the executive branch the Chief FOIA Officers Council (referred to in this subsection as the ‘Council’).

“(2) The Council shall be comprised of the following members:

“(A) The Deputy Director for Management of the Office of Management and Budget.

“(B) The Director of the Office of Information Policy at the Department of Justice.

“(C) The Director of the Office of Government Information Services.

“(D) The Chief FOIA Officer of each agency.

“(E) Any other officer or employee of the United States as designated by the Co-Chairs.

“(3) The Director of the Office of Information Policy at the Department of Justice and the Director of the Office of Government Information Services shall be the Co-Chairs of the Council.

“(4) The Administrator of General Services shall provide administrative and other support for the Council.

“(5)(A) The duties of the Council shall include the following:

“(i) Develop recommendations for increasing compliance and efficiency under this section.

“(ii) Disseminate information about agency experiences, ideas, best practices, and innovative approaches related to this section.

“(iii) Identify, develop, and coordinate initiatives to increase transparency and compliance with this section.

“(iv) Promote the development and use of common performance measures for agency compliance with this section.

“(B) In performing the duties described in subparagraph (A), the Council shall consult on a regular basis with members of the public who make requests under this section.

“(6)(A) The Council shall meet regularly and such meetings shall be open to the public unless the Council determines to close the meeting for reasons of national security or to discuss information exempt under subsection (b).

“(B) Not less frequently than annually, the Council shall hold a meeting that shall be open to the public and permit interested persons to appear and present oral and written statements to the Council.

“(C) Not later than 10 business days before a meeting of the Council, notice of such

meeting shall be published in the Federal Register.

“(D) Except as provided in subsection (b), the records, reports, transcripts, minutes, appendices, working papers, drafts, studies, agenda, or other documents that were made available to or prepared for or by the Council shall be made publicly available.

“(E) Detailed minutes of each meeting of the Council shall be kept and shall contain a record of the persons present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued, or approved by the Council. The minutes shall be redacted as necessary and made publicly available.”; and

(7) by adding at the end the following:

“(m)(1) The Director of the Office of Management and Budget, in consultation with the Attorney General, shall ensure the operation of a consolidated online request portal that allows a member of the public to submit a request for records under subsection (a) to any agency from a single website. The portal may include any additional tools the Director of the Office of Management and Budget finds will improve the implementation of this section.

“(2) This subsection shall not be construed to alter the power of any other agency to create or maintain an independent online portal for the submission of a request for records under this section. The Director of the Office of Management and Budget shall establish standards for interoperability between the portal required under paragraph (1) and other request processing software used by agencies subject to this section.”.

### SEC. 3. REVIEW AND ISSUANCE OF REGULATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the head of each agency (as defined in section 551 of title 5, United States Code) shall review the regulations of such agency and shall issue regulations on procedures for the disclosure of records under section 552 of title 5, United States Code, in accordance with the amendments made by section 2.

(b) REQUIREMENTS.—The regulations of each agency shall include procedures for engaging in dispute resolution through the FOIA Public Liaison and the Office of Government Information Services.

### SEC. 4. PROACTIVE DISCLOSURE THROUGH RECORDS MANAGEMENT.

Section 3102 of title 44, United States Code, is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4); and

(2) by inserting after paragraph (1) the following:

“(2) procedures for identifying records of general interest or use to the public that are appropriate for public disclosure, and for posting such records in a publicly accessible electronic format.”.

### SEC. 5. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act or the amendments made by this Act. The requirements of this Act and the amendments made by this Act shall be carried out using amounts otherwise authorized or appropriated.

Mr. LEAHY. Mr. President, I am proud to once again join with Senator CORNYN to introduce the FOIA Improvement Act, a bipartisan bill that will make our Federal government more accountable to all Americans by strengthening the Freedom of Information Act.

Senator CORNYN and I introduced an almost identical bill last year, and despite it passing the Senate unani-

mously, the House failed to act. This was deeply disappointing, and was a missed opportunity for Congress. But Senator CORNYN and I have worked together for more than a decade to make our government more open, through Democratic and Republican administrations and Republican and Democratic-led Congresses. We have a strong partnership, and we will not quit. We are determined to make progress on creating a more open and transparent government for all Americans.

The FOIA Improvement Act of 2015 codifies what President Obama laid out in his historic 2009 memorandum by requiring Federal agencies to adopt a “Presumption of Openness” when considering the release of government information under FOIA. Under this bill, when considering FOIA requests Federal agencies must find a reasonable foreseeable harm in order to invoke a discretionary exemption and withhold information from the public. The government should always err on the side of disclosure. Our legislation also provides additional independence to the Office of Government Information Services, OGIS, an office created by the Leahy-Cornyn OPEN Government Act in 2007 that helps mediate disputes between the Federal Government and FOIA requesters. Finally, our legislation will limit the use of Exemption 5 by placing a 25 year limitation on information covered by the exemption.

I have fought for years to make our government more open and transparent. Senator CORNYN has been an important partner in these efforts, and our collaboration has resulted in the enactment of several improvements to FOIA including the OPEN Government Act, the first major reform to FOIA in more than a decade; the OPEN FOIA Act, which increased the transparency of legislative exemptions to FOIA; and the Faster FOIA Act, which responded to the concerns of FOIA requesters and addressed agency delays in processing requests.

After four decades in the Senate, I appreciate that legislating requires compromise. The FOIA Improvement Act of 2015 reflects the input of both sides of the aisle, the open government community, the administration, and many other stakeholders. It is the product of nearly a year of careful negotiations on behalf of Senator CORNYN and me. It is supported by more than 70 public interest groups that advocate for government transparency and it had the unanimous support of the Judiciary Committee and the full Senate last year. Above all, it marks an historic step forward in our continued effort to open the government by codifying what President Obama set out to achieve in 2009 when he said “In the face of doubt, openness prevails.” This is common sense, and so I urge the Senate to quickly take up and pass this bill and for the House to follow suit so we can show the American people, in a bipartisan fashion, that we are committed to advancing their interests

above special interests, no matter who holds control of Congress or the White House.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 61—HONORING THE LIFE AND LEGACY OF PEGGY CHARREN

Mr. MARKEY submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 61

Whereas Peggy Charren was born on March 9, 1928, in New York City;

Whereas Peggy Charren founded the Action for Children's Television in 1968 to promote educational television programming for children;

Whereas under the extraordinary leadership of Peggy Charren, the Action for Children's Television grew to a strong organization of more than 20,000 advocates for children;

Whereas Peggy Charren and the Action for Children's Television worked tirelessly for decades to establish youth-friendly educational programming standards for television for children;

Whereas Peggy Charren and the Action for Children's Television played a central role in the passage of the Children's Television Act of 1990, which established standards for children's television by requiring television stations to serve the educational needs of children in the United States;

Whereas Peggy Charren was awarded the Presidential Medal of Freedom on September 29, 1995, by the 42nd President of the United States for her leadership in reforming television for children in the United States;

Whereas Peggy Charren remained a powerful voice for television programming for children over the course of her entire life, constantly fighting for the interests of the youngest viewers in the United States; and

Whereas the content of television for children in the United States has been forever altered for the better thanks to the remarkable efforts of Peggy Charren: Now, therefore, be it

*Resolved, That—*

(1) the Senate—

(A) honors the lifetime of service by Peggy Charren to the children of the United States;

(B) recognizes the lasting contributions made by Peggy Charren to the children of the United States and educational television programming worldwide; and

(C) requests the Secretary of the Senate to prepare an official copy of this resolution for presentation to the family of Peggy Charren; and

(2) when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of Peggy Charren.

#### SENATE RESOLUTION 62—DESIGNATING THE WEEK BEGINNING ON FEBRUARY 8, 2015, AS "NATIONAL TRIBAL COLLEGES AND UNIVERSITIES WEEK"

Ms. HEITKAMP (for herself, Mr. THUNE, Ms. BALDWIN, Mr. BARRASSO, Mr. DAINES, Mr. FRANKEN, Mr. HEINRICH, Ms. HIRONO, Mr. HOEVEN, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. MORAN, Mrs. MURRAY, Mr. PETERS, Ms. STABENOW, Mr. TESTER, and Mr. UDALL) submitted the following resolution; which was considered and agreed to:

S. RES. 62

Whereas there are 37 tribal colleges and universities operating on more than 75 campuses in 16 States;

Whereas tribal colleges and universities are tribally or federally chartered institutions of higher education and therefore have a unique relationship with the Federal Government;

Whereas tribal colleges and universities serve students from more than 250 federally recognized Indian tribes;

Whereas tribal colleges and universities offer students access to knowledge and skills grounded in cultural traditions and values, including indigenous languages, which enhance Indian communities and enrich the United States as a whole;

Whereas tribal colleges and universities provide access to high quality postsecondary education opportunities for American Indians, Alaska Natives, and other individuals living in some of the most isolated and economically depressed areas in the United States;

Whereas tribal colleges and universities are accredited institutions of higher education that effectively prepare students to succeed in their academic pursuits and in a global and highly competitive workforce;

Whereas tribal colleges and universities have open enrollment policies, and approximately 20 percent of the students at tribal colleges and universities are non-Indian; and

Whereas the collective mission and considerable achievements of tribal colleges and universities deserve national recognition: Now, therefore, be it

*Resolved, That the Senate—*

(1) designates the week beginning on February 8, 2015, as "National Tribal Colleges and Universities Week"; and

(2) calls on the people of the United States and interested groups to observe the week with appropriate ceremonies, activities, and programs to demonstrate support for tribal colleges and universities.

#### NATIONAL TRIBAL COLLEGES AND UNIVERSITIES WEEK

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 62, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 62) designating the week beginning on February 8, 2015, as "National Tribal Colleges and Universities Week."

There being no objection, the Senate proceeded to consider the resolution.

Mr. CORNYN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 62) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### MEASURES READ THE FIRST TIME—S. 338 AND S. 339

Mr. CORNYN. Mr. President, I understand that there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will report the bills by title for the first time.

The assistant legislative clerk read as follows:

A bill (S. 338) to permanently reauthorize the Land and Water Conservation Fund.

A bill (S. 339) to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely.

Mr. CORNYN. Mr. President, I now ask for a second reading, and I object to my own request en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be read for the second time on the next legislative day.

#### APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, pursuant to the provisions of Public Law 93-112, as amended by Public Law 112-166, and further amended by Public Law 113-128, the appointment of the following to serve as a member of the National Council on Disability: Neil Romano of Maryland.

#### ORDERS FOR TUESDAY, FEBRUARY 3, 2015

Mr. CORNYN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. Tuesday, February 3; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein, equally divided, with the Democrats controlling the first half and the Republicans controlling the final half; that following morning business, the Senate proceed to the consideration of Calendar No. 6, H.R. 203, the Clay Hunt SAV Act, with the time until 12 p.m. equally divided, and following the use or yielding back of time, the bill be read a third time and the Senate vote on passage of the bill. I ask consent that the Senate recess following the vote until 2:15 p.m. to allow for the weekly conference meetings.

The PRESIDING OFFICER. Is there objection?

Mr. WHITEHOUSE. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Reserving the right to object, during the Keystone debate, the Energy and Natural Resources Committee chair said we



should get beyond the discussion as to whether climate change is real—

Mr. CORNYN. Mr. President, I ask for regular order.

The PRESIDING OFFICER. Is there objection to the unanimous consent request?

Mr. WHITEHOUSE. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CORNYN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I renew my unanimous consent request. I have conferred with the Senator from Rhode Island and yield to him for purposes of asking a question.

Mr. WHITEHOUSE. Reserving the right to object—it is not in the form of a question—but, as I said, during the Keystone debate, the energy committee chair said we should get beyond the discussion as to whether climate change is real and talk about what do we do. I will not take more time now than to say that I hope we soon do get to that question: What do we do?

With that, I will not object.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER FOR ADJOURNMENT

Mr. CORNYN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of the Senator from Alabama, Mr. SESSIONS, who I understand is en route.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. SESSIONS. Mr. President, tomorrow we will vote on whether to proceed to the Department of Homeland Security appropriations bill, which fully funds the Department of Homeland Security and includes the law enforcement priorities that were agreed to on a bipartisan basis in the House. It is indeed a clean bill. The House of Representatives has voted to fund fully homeland security, as the President has requested.

Now, it is not a perfect bill. Republicans and Democrats and individuals on both sides have different priorities on some matters, but they did come to an agreement to fund all of the programs of the Department of Homeland Security and on how much they were funded—activities and actions that are authorized, however, by the laws of the United States.

So this bill will not deny a penny of funding. In fact, it says: Mr. President, spend the money on enforcing and following the law. Spend the money on enforcing the Immigration and Nationality Act as passed by Congress—that is the law of the United States of America. Spend the money to let our law enforcement officers carry out their duties as prescribed by the laws.

Yet our Democratic colleagues say they are going to block this bill—that they will all stick together and not even let it come to the floor of the Senate. Why? Why would they do that? Because, they say, they want to give the President the funds, apparently, to spend on his unconstitutional and unlawful Executive amnesty. They will not allow the bill to even be voted on, and without a vote in the Senate, the funding for Homeland Security does not go forward. They are not going to allow it to be voted on because they want to protect the President in his assertion of an unconstitutional and illegal power to order duly-constituted enforcement officers of the U.S. Department of Homeland Security to carry out unlawful activity.

The President is not entitled to spend taxpayer dollars to implement a system of immigration that Congress—representing the American people's wishes, let me add—rejected just last year. Surely our Democratic colleagues will not block the Senate from proceeding to this bill to fund the Department of Homeland Security. If they are unhappy with the language of the bill of the House of Representatives, if they think the President wrongfully or rightfully, using legitimate powers, could direct them to provide Social Security numbers, Medicare participation, earned income tax credit money from the Federal Government and the right to work in the United States when the law says they are not entitled to be employed in the United States, then they can offer an amendment to the bill and bring it up on the floor of the Senate to strike that language if they think it is so bad.

Of course, if you think about it, that would be a stunning event; would it not be—the Senate taking language from a bill or striking language from a bill that restores the separation of powers as properly understood by the Framers and preventing the President from violating law and the constitution. They are going to vote against that? Maybe that is why they choose not to have this bill go forward. Maybe they do not want to confront the issue.

I am going to quote Senator REID in a moment because he said we ought to

confront the issue square-on. All right, let's do so. I suspect Senator REID, though, and his team are not so interested in having votes and being held accountable for their votes.

Our colleagues would have the right to offer amendments. Senator MCCONNELL is allowing amendments. He is going out of his way to allow amendments and changing the terrible state the Senate had found itself in under the leadership of Senator REID. Consistent with the rules of the Senate, those amendments can be brought up, and a motion to strike this language is certainly appropriate.

It is an untenable position—untenable constitutionally, untenable because it is contrary to the will of the Members of the House and Senate who oppose the President's action—Republicans and Democrats. Perhaps most importantly, it is untenable politically because the American people strongly reject it. So why would any Senator—Democrat or Republican—when the very integrity of the Congress is under assault by an overreaching executive branch, not want to assert congressional authority at this point?

We are coequal branches of government, and the President does not have the authority to enforce a law that was never passed—indeed, a law that was explicitly rejected by the Congress of the United States—and grant amnesty to people who are unlawfully here, provide them work authorizations, a photo ID allowing them to apply for any job in America, with Social Security numbers and the right to participate in Social Security and Medicare. That is what the President's actions are going to do.

This is not prosecutorial discretion—nowhere close to prosecutorial discretion. It is an Executive fiat. It is an imperial act. As the President himself said repeatedly: I am not a king; I am not an emperor. When dealing with this very issue, he told people over a period of years—20 times—that he did not have the power to do this. But then he changed his mind. Under pressure from certain political interest groups and because he couldn't get Congress to vote for the bill he wanted, he just decided to do it on his own.

This is an unthinkable overreach. It is a matter of great national importance. The American people were engaged in this. They were following this issue. The President couldn't get the constitutional process to give him the power he wanted, so he just did it anyway.

Why can't it be stopped? I get asked that. What is the matter with you people in Congress?

Well, we had seven Members on the Democratic side of the aisle, still in this Senate today, who said the President overreached. They said he shouldn't have done this, and it should have been done by the legislature, by the Congress, not by the President. Yet are all seven of them going to vote with Senator REID and become part of

the palace guard that protects the President in his unlawful act so the President can't be challenged?

That is what it amounts to. There is no doubt about it. That is precisely what it amounts to—a palace guard circling around the White House to protect the President, even though Members of this Senate have said he overreached and what he did was wrong. They are, apparently, going to continue to vote for it. Out of what—party loyalty? Out of loyalty to Senator REID, the minority leader in the Senate?

Well, they say—and the media even is saying sometimes—Democrats and others are sometimes saying that the bill contains controversial new immigration riders, and therefore, it ought to be blocked. It contains unconstitutional or controversial new immigration riders, and that is bad. That is why it ought to be blocked.

What new policy is in the bill? What new expenditure is in the bill that is not consistent with the laws of the United States? Not one. The bill passed by the House carries out the essential functions in the normal orderly way of Homeland Security. It doesn't add any pork, and it doesn't add any special expenditures for some controversial project. It doesn't do any of that.

So if the President says that he will deploy his Border Patrol officers—no longer at the Mexican border where we have large flows of illegal labor—to Montana or Maine, where we have very few people, in effect, he is saying we are no longer going to enforce the border there or even attempt to, and he is going to reassign them. He is saying: I am the President. They work for me. I can do such things.

Well, would it be a controversial rider for the Senate, or for the House of Representatives, to say no, we prohibit funds to do that? We are going to fund the officers' duty at the border with our Mexican neighbors where they need to be.

The point is who is creating the controversy—not the House of Representatives. It is the President of the United States. He has overreached, without any doubt, and the situation is very grave.

What if the next President of the United States decides to do something else? Senator CRUZ, at the hearing for the Attorney General nominee, Ms. Lynch, asked her: What if Mr. CORNYN—whom he was sitting by, at the time, the Senator from Texas—were President and he didn't like certain labor laws that applied to people in Texas and he told his bureaucrats—who in effect work for the President of the United States—don't enforce labor laws in Texas?

So Senator CRUZ asked the nominee, Loretta Lynch, who wants to be Attorney General of the United States of America, whether under President Obama's Executive amnesty theory, the next President could do that and bar the enforcement of labor laws in

the State of Texas. She said she would have to review it. She wasn't sure. Of course that is blatantly unconstitutional. It shouldn't have taken her 5 seconds to say of course a President can't do that. Have we gotten such a confused understanding of law in America that we are at that point that universal laws of labor are subject to the whim of a President of the United States, and even the Attorney General will not say it is wrong and even the Congress will not say no to the President on this?

Well, the House did say no. They passed a perfectly responsible funding bill for Homeland Security. They said: We are not going to allow you to spend money to advocate a policy which we have rejected—which they can do just that way: We don't like this action. We are not going to fund this action. The Executive of this country—the President—cannot act on it if he is prevented from spending money on it. It goes to the very core of the legislative process. It is what the American Revolution was about. It is what happened in England. They wrested this power from the King, and we adopted it in terms of the President and put the power in Congress. They had the power in Parliament. It is a big deal.

I don't think we are at a point where we need to back down on this. It is not an overreach. Those great leaders, some at Homeland Security, so confident in their wisdom and policy ideas, having forgotten what the rule of law is, suggest that Congress should just roll over and forget it and go on and let it happen and not be controversial by standing up to it.

Now, look. I like Senator REID. We battle a lot. He is pugnacious, as this *Politico* article said, but I can live with that. I am glad he is back and I hope he is doing better and I hope he recovers fully, and I am confident he will. A *Politico* article by Mr. Burgess Everett earlier today quoted Senator REID as saying:

Why should we be dealing with issues that have nothing to do with homeland security?

Nothing to do with homeland security, Senator REID said.

If my Republican colleagues have some problems with something the President has done on immigration, for example, hit it head on. Don't hide it in homeland security.

Well, the problem is Homeland Security. The President has directed the officials of Homeland Security to take money that has been authorized and appropriated for them to enforce the immigration laws of this country and to use those funds to carry out a scheme Congress has rejected.

Under the laws of the United States it is illegal to hire somebody unlawfully in the country. There is no doubt about that. People unlawfully in the country are not entitled to participate in Social Security or Medicare. How could it be otherwise?

So he told the Homeland Security officials to create a new office, a new building across the river in Crystal

City. He directed them to hire 1,000 new employees to process applications under his Executive amnesty, a policy Congress rejected. It is breathtaking. It is going to cost tens of millions of dollars just for that one office. That just begins to suggest how much money will have to be spent to execute his vision for immigration that the American people rejected.

So how do we deal with it directly? How do we hit it on the head openly and directly? The Congress has the power of the purse. No money can be spent by this President that Congress hasn't authorized.

So the House discussed this. They went into some detail about it, worked at it for some time, and the House decided they would not fund this action that contradicted laws they passed and execute a policy they didn't agree with. I think that is confronting it head on—no doubt about that—and it absolutely deals with homeland security. My goodness. So this is the kind of logic and weak arguments that are being put forth here.

We will talk about a lot of things as we go forward with this debate that evidences the bankruptcy of the policies carried out by this administration.

One of the things that came out today as part of the President's budget was his assumption that if his immigration policies are passed, we would save lots of money for the U.S. Treasury. Why would it save money? It would save money because we would collect more Social Security benefits, and this would create more revenue for the government and put us in a sound position to help balance the budget.

We are not going to balance the budget. We are not going to come close to it, but he said a substantial amount of money would come from it.

Colleagues, we have to understand what a misrepresentation of colossal enormity is at stake in that statement. Everybody knows Social Security and Medicare are on unsustainable financial courses. Anybody who knows anything about Medicare and Social Security knows the fundamental problem is people are not putting in enough money to take care of those who retire, and so the flow is not enough. Over time it is going to get worse. We are just now beginning to go into deficit for Social Security. The disability portion is in critical shape. It is in very bad shape, but what this calculation is based on is the next 10 years.

So it says we will have more income in the next 10 years, and that may be so. But every person who goes on Social Security today—and even more so in the future—are, under law, projected to take out more than they put in plus interest. So obviously add 5 million new people to the Social Security rolls and no change in the amount of money that they pay in, they make the long-term strength of Social Security even more weak. It makes the hole even deeper that we have to dig our way out of. There is no other way to analyze it.

It is just unbelievable to me that they would make such a statement.

Those of us in the Congress need to be thinking about the long-term financial course of America. We need to be trying to put not just short-term benefits here so Congress can spend more money, but also we need to be thinking about how to place this country on a sound long-term path. Adding more people to Social Security—particularly lower income people as most of these are, who will draw out even more than the higher income people draw out as a percentage on the basis of what they paid in—is not a way to save Social Security.

In a December 1, 2014 article in Investor's Business Daily entitled, "Obama's Amnesty will create a Fiscal Nightmare for Entitlements," Merrill Matthews, resident scholar at the Institute for Policy Innovation, and Mark E. Litow, retired actuary and past chairman of the Social Insurance Public Finance Section of the Society of Actuaries, wrote this:

Obama's amnesty action greatly exacerbates the problem, because retirees get back far more than they pay in.

That is as plain and as simple as daylight following dark. They go on to write:

But millions of Obama's newly legalized are working-age adults with children, so many could be in their 40s or older.

Thus, they could pay FICA taxes for the next, say, 15 or 20 years—less than the average American worker—and be eligible for the full array of Social Security and Medicare benefits.

This is going to be devastating to Social Security and Medicare. It is going to hammer those programs. It is going to make it harder for us to save them, which we have an obligation to do. There is no obligation to give Social Security and Medicare to persons who enter the United States unlawfully. People aren't entitled to come into the country unlawfully and demand the benefits of the country. The first thing we should do to confront unlawful immigration is not to subsidize it with taxpayer money.

The article goes on to say:

Using a basic simulation model, we believe the government will receive about \$500 billion in payroll tax revenue (including Part B and drug premiums) and expect it to pay out some \$2 trillion in benefits over several decades.

So they pay in \$500 billion, but we are going to pay out \$2 trillion—four times as much. How does this make America more financially stable?

On December 4 of last year, in an article in the Atlantic magazine entitled "The Cost of Amnesty," senior editor David Frum wrote this:

In the 2011 tax year, the average EITC payment to a family with children was \$2,905, according to the Center for Budget and Policy Priorities. The Additional Child Tax Credit works in much the same way, paying an average of \$1,800 to qualifying households.

Earned-income tax credit—that sounds like some sort of deduction you

might have, but it is not. So many of the persons who will be given this legal status will be eligible for the earned-income tax credit because they have a family—presumably—that is what the President tells us; these are for families—and their income is at a rate that entitles them to draw earned-income tax credit.

But go to the budget of the United States of America and how the Congressional Budget Office calculates this—they don't calculate earned-income tax credit as some sort of tax deduction. They calculate it as an expenditure of the United States of America, and it absolutely is.

The way it works is your income is so low you have a family of such that you don't owe any income tax, and they send you a credit and they call it an earned-income tax credit, and a tax credit is a cash payment to you. It looks something like a tax matter, but it is really a direct check from the United States of America to lower-income families. So this is going to be qualifying for large numbers of people that will be given a legal status.

Citing the Center for Immigration Studies, Mr. Frum in the Atlantic article explains:

About 14.5 percent of the native-born population of the United States earns little enough to qualify for the EITC. Almost twice as great a portion of the total immigrant population, 29.7 percent, qualifies. But the specific immigrant groups most likely to benefit from the President's actions earned even less.

So you have, on a percentage basis, twice as many in the immigrant population eligible for EITC as the average native-born American would be to qualify to receive that check from the United States.

Mr. Frum goes on to say, "The EITC will cost a shade over \$70 billion in fiscal year 2015."

That is a lot of money—\$70 billion. A Federal highway bill is \$40 billion, moving up to \$50 billion. This is \$70 billion.

The refundable portion of the child tax credit will cost about \$33 billion. That's \$100 billion in total. Together, they cost 10 times as much as traditional cash welfare. Soon they will cost much, much more.

He goes on to note:

Quaintly enough, U.S. immigration law still forbids the president to grant residency to aliens likely to become "a public charge." The list of exceptions, however, overwhelms the rule. Here are the benefits that are "not intended for income maintenance" and therefore exempt, according to the Citizenship and Immigration Services. . . .

And they list a whole lot of taxes.

Well, I just want to wrap up by saying the House of Representatives can do time and order, pass the bill that fully funds the United States, and it does not contain riders and it does not contain pork spending. Well, maybe it contains it, but it is not being complained about at this time, and it is before the Senate. To fund the Depart-

ment of Homeland Security the Senate has to pass the same bill with the same expenditures to do so. So all we have to do is fund the Department of Homeland Security but not approve the President's desire to transmit funds in Homeland Security to an illegal, unlawful policy of amnesty that Congress opposes and the American people oppose. Who do we represent?

Since 2009, we learned today, the Obama administration issued 5.5 million extra work permits—double the normal expected flow by over almost a million a year. We understood it to be 700,000. Now we understand there are so many more that have not been calculated in the numbers. His Executive amnesty will issue 5 million more.

Since 2009 family incomes are down \$4,000. There is no doubt about it, colleagues, that this incredibly large flow of immigrants into America exceeds the ability of the American economy to absorb them. It is pulling down wages. It is moving people out of the workplace. It is making it very difficult for lawful immigrants to get jobs in America because there will always be a new group coming in willing to work for less. It is eroding the middle class and middle-class values.

So we are going to talk about this as we go forward. I believe this country will continue to be a nation that allows immigration. We don't dislike or hate or demean people that want to come to America and work here. But we need to send a clear message: If you are not coming lawfully, don't come. And if you come unlawfully, you are not going to be given amnesty. You are not going to be given Social Security, Medicare, earned income tax credits, and the right to go to any hospital in America and demand health care. We are just not going to do that.

If we do that with clarity, colleagues, what will happen? The people who are coming here unlawfully will stop coming. The numbers will fall dramatically, and we will be in a position, then, to reestablish a lawful system of immigration that the American people have pleaded with us to establish—one that we can be proud of, that is just and fair where people apply and wait their turn and are accepted or not accepted based on the merits. If we do that, we will have served the American people with what they have asked us to do.

I thank the Chair, and I yield the floor.

ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 7:06 p.m., adjourned until Tuesday, February 3, 2015, at 10 a.m.